PARLIAMENTARY DEBATES

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HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1993–94

COMPRISING PERIOD
23 May -17 June 1994

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THE
PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 244**

TWELFTH VOLUME OF SESSION 1993-94

House of Commons

Monday 23 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

NATIONAL HERITAGE

Arts Funding

1. **Ms Lynne:** To ask the Secretary of State for National Heritage what representations he has received regarding arts funding in the north-west.

The Secretary of State for National Heritage (Mr. Peter Brooke): I received a number of letters when the Arts Council made its allocations for 1994-95 to regional arts boards.

Ms Lynne: Is the Secretary of State aware that the Hallé orchestra in Manchester is facing financial difficulties? Is not it ironic that, just when the Arts Council is encouraging that orchestra to be more artistically ambitious, its funding should be cut? Does he think that more money could be made available, in recognition not only of the orchestra's excellent music but of its services to children with special educational needs?

Mr. Brooke: The Arts Council's decision in relation to the Hallé was a matter for the council; but I am conscious that the council has conducted an internal review of regional orchestras and that the whole council has considered the matter.

Mr. Dickens: Does my right hon. Friend appreciate that, throughout the north-west, we have not only excellent orchestras but excellent music societies, opera societies, choirs, brass bands and many talented artists? Can those people expect to get some money from the national lottery?

Mr. Brooke: I join my hon. Friend's tributes to the musical qualities of the north-west. As for the national lottery, it will be up to organisations to bid, and it will then be for the Arts Council, if bids come to it, to decide whether they are within its terms of reference and acceptable.

Mr. Barry Jones: Does the Secretary of State know that the Under-Secretary made a good impression when he recently attended a performance by the Royal Liverpool Philharmonic orchestra? Bearing in mind the excellence and world standing of that great orchestra—I should declare my life membership of the Philharmonic Society—may I persuade the right hon. Gentleman to allocate about £500,000 to enable the orchestra to get out of a rather sticky financial situation? The right hon. Gentleman should also remember that next year it must perform in the Liverpool Anglican cathedral.

Mr. Brooke: My hon. Friend the Under-Secretary always makes a good impression. As for the allocation of £500,000, would that I were so rich! I am delighted with what has happened in respect of the Philharmonic hall. I am conscious that the orchestra will be moving into the cathedral during the closure of the hall, and I hope that that time goes well.

Sports Clubs

2. **Mr. Harry Greenway:** To ask the Secretary of State for National Heritage how many (a) under 16-year-old and (b) under 18-year-old (i) boys and (ii) girls are estimated to attend sports clubs for coaching and team games; at what cost to public funds; and if he will make a statement.

The Parliamentary Under-Secretary of State for National Heritage (Mr. Iain Sproat): The information is not held centrally. However, the Sports Council has commissioned a national survey of young people's involvement in sport which will ask about their membership of sports clubs.

Mr. Greenway: Does my hon. Friend agree that all money going into sports clubs for young people is to be welcomed—and that there should be more of it? We must also support Ron Dearing's initiative of including physical education on the school curriculum, because that is how young people learn to handle themselves physically for the rest of their lives.

Above all, however, does my hon. Friend agree that we must have team games on the school curriculum, because that is how young people will learn to handle themselves —*[Interruption.]*—as I know because, as a schoolmaster, I took a school team every Saturday for 23 years; the hon. Member for Nuneaton (Mr. Olner) should remember that. That is how young people learn civilised behaviour for the rest of their lives, and it is therefore crucial.

Mr. Sproat: I thank my hon. Friend very much. I certainly pay tribute to the money that the Sports Council gives youth sport, which runs at about £4 million a year. I strongly agree, too, that, good though the sports clubs' work may be, and important though it is, it is absolutely essential that it should not be a substitute for proper sport in schools. That is what we want to work at.

Independent Television

3. **Mr. David Evans:** To ask the Secretary of State for National Heritage what is his policy on independent television; and if he will make a statement.

Mr. Brooke: Our aim is to increase diversity and choice for audiences and to encourage British broadcasters to compete in providing services in this country and elsewhere.

Mr. Evans: Does my right hon. Friend agree that the BBC ought to be privatised forthwith to save pensioners their licence fee? Is he aware that the BBC is known by the British people as an annexe to Walworth road—in other words, that lot over there?

Mr. Brooke: My hon. Friend shows some ingenuity in asking a question about independent television and then putting a supplementary about transferring the BBC to the private sector. I am not sure that his views about the BBC are widely held in the House.

Mr. Mackinlay: In his contacts with the holders of the London commercial television franchise, will the Secretary of State take an early opportunity to remind them of their obligations to those millions of viewers outside the area covered by the former GLC? The franchise serves those viewers, but its news and current affairs programmes do not adequately reflect or take into account that fact. The people on the outer rim are not given fair coverage by London News Network and its related organisations.

Mr. Brooke: It is for the Independent Television Commission rather than for me to remind franchisees of their obligations. One of the obligations that the ITC places on them is that 80 per cent. of regional programming should be produced in the area. I shall certainly see to it that the ITC's attention is drawn to the hon. Gentleman's question.

Mr. Thurnham: Will my right hon. Friend carry out a review of employment practices in the television companies to see how many of them give £75 and a honeymoon week to heterosexual couples, let alone to gay and lesbian couples?

Mr. Brooke: My hon. Friend's supplementary also approaches the original question from the flank. It may help the House if I say that the BBC said today that it was taking very seriously the concern expressed on the subject of the equivalent of marriage allowances and gifts to single-sex couples. The corporation said that it was bringing forward a planned review of its special leave arrangements generally—and marriage gifts specifically —as part of its overall activity to modernise the benefits and conditions of service of its staff, and that, pending the outcome of that review, the award of one-off marriage payments would be suspended.

Mr. Maclennan: In promoting choice and variety for viewers, will the Secretary of State look favourably on the possibility of establishing Channel 5, and not allow arguments about digital to become confused with that question?

Mr. Brooke: Issues relating to digital are part of the equation that has to be analysed, but we are examining with our technical advisers our capacity to go forward on both fronts at the same time.

Mr. Trimble: Does the Minister have any policy on the financial probity of television programme makers? There is reason to believe that more than a five-figure sum disappeared from the accounts of a Channel 4 programme; but, rather than assist the police in bringing the guilty journalist to court, Channel 4 covered up the issue so as not to expose the inaccurate content of the programme, which I have raised in an Adjournment debate. Does the Minister have a view on such matters?

Mr. Brooke: The individual broadcasting companies or independent producers acting on their behalf would obviously be answerable for the manner in which funds are spent. The hon. Gentleman's question is a little too detailed in terms of the question on the Order Paper.

Mr. Ian Bruce: Does my right hon. Friend agree that the excellent progress that has been made by satellite and cable television and by all the independent television companies demonstrates to the BBC that it should look to become an independent television company without the benefit of a monopolistic licence fee? When does my right hon. Friend expect to abolish the licence fee?

Mr. Brooke: The direct answer to my hon. Friend's leading question is that we shall fairly shortly publish a White Paper on the future of the BBC. On the issue of other services in which the BBC might engage, my hon. Friend will be aware of the corporation's announcement last week about its future partnership with Pearson's.

Arts Sponsorship

5. **Mr. John Marshall:** To ask the Secretary of State for National Heritage what steps he is taking to encourage the private sponsorship of the arts.

Mr. Brooke: Support by business makes a major contribution to the arts economy. The Government's own business sponsorship incentive scheme has done much to encourage that welcome development, bringing in more than £73 million in new money to the arts since its inception in 1984. In recognition of the success of the BSIS and the importance of business sponsorship, the scheme's budget has been increased to £4.8 million for this and the next two years.

Mr. Marshall: Will my right hon. Friend congratulate Allied Lyons on its £3 million sponsorship of the Royal Shakespeare Company? Can he confirm that sponsorship by private companies is in addition to, rather than in place of, Government support?

Mr. Brooke: Of course I salute Allied Lyons on the support that it is rendering to the RSC, just as I salute British Telecom on its support for orchestras, KPMG on its support for opera and all the other sponsors throughout the country on their support for the arts.

Mr. Enright: Is the right hon. Gentleman aware that the preponderance of that investment is in the capital, London, and in Edinburgh? There is a dearth of funds in the provinces, which will lead to difficulties in bidding for lottery and millennium funds. Will he look in particular at the superb, world-class Breton Hall sculpture park, which is very deserving of support?

Mr. Brooke: The hon. Gentleman knows that members of my family were born on the land where that sculpture park is now located, so I have a natural sympathy towards it and will always be anxious that it should thrive. However, the hon. Gentleman is not correct in his statement that business sponsorship is concentrated on the capital. Some 80 per cent. of the awards made by the Association for Business Sponsorship of the Arts, under BSIS, was to companies operating outside the capital.

Arts Council

6. **Mr. Jessel:** To ask the Secretary of State for National Heritage what is his policy for the Arts Council; and if he will make a statement.

Mr. Brooke: The Arts Council of England is the main channel for central Government funding of the arts. Under its new chairman and council and with very substantial public resources, it is responsible for providing a strategic policy framework for the arts; for managing grant in aid; and for the monitoring and appraisal of arts organisations. The council carries out those functions at arm's length from the Government.

Mr. Jessel: Having made excellent appointments in Lord Gowrie and Miss Allen to head the Arts Council, will my right hon. Friend always strongly uphold the arm's-length principle to ensure that it is the Arts Council which decides which grants go where and that Ministers cannot be pressurised by endless arguments about the artistic merits of different artists and performers?

Mr. Brooke: I am delighted to agree with my hon. Friend about upholding that principle. One of the minor disappointments of the recent arts debate was that we did not obtain a gloss on the Opposition's attitude to that principle, arising as it did out of plans that fell off the back of a lorry a little before the debate took place.

Mr. Fisher: If the right hon. Gentleman reads the record he will see a clear statement of our position on the Arts Council and the arm's-length principle.

Does the right hon. Gentleman support the Arts Council's cutting of its disability arts unit? Does his Department have a policy on the rights of disabled people, either as artists or audiences, that he can explain to the large lobby of disabled people outside the House today, who are rightly furious about the Government's shabby and dishonourable treatment of disabled people on Friday?

Mr. Brooke: The hon. Gentleman referred to the arts debate, during which he was kind enough to call me a patrician—the first time I had ever been so called by an old Etonian. I want to take this first opportunity to return the compliment.

On the hon. Gentleman's question about the Arts Council's disability unit, as he well knows, the council has rearranged its affairs so that those services continue to be performed, but in a different part of the council's organisation.

Mr. Oppenheim: Will my right hon. Friend join the chairman of the Arts Council in warmly commending the smash-hit British film "Four Weddings and a Funeral"? Next time highly paid actors and film makers come to him saying that they need taxpayers' funds to make and distribute successful films, will he point out to them that the message of that success is that, if they get their snouts out of the trough and make films that people want to see, they will be able to achieve success without dipping their hands into the pockets of people who are very much less well off than they are?

Mr. Brooke: Inclement weather on Saturday afternoon drove me into the cinema, and I saw the film to which my hon. Friend has just alluded. I join him in congratulating its makers and actors on a remarkable film, but that does not of itself provide a reason for ending the dialogue between the Government and the British film industry on how the industry's success can be fully renewed.

7. **Mr. Sheldon:** To ask the Secretary of State for National Heritage if he will publish the minutes of meetings with the chairman of the Arts Council.

Mr. Brooke: I meet the chairman of the Arts Council on an irregular basis, as the need arises. The nature of those meetings is not such that publication of the minutes would be appropriate.

Mr. Sheldon: Is the Secretary of State aware that that question was tabled to try to elucidate just what goes on in the meetings between him and the chairman of the Arts Council? Do they talk about projects? Do they talk about the importance of the arts? Or do they just talk money? Can we have a bit of light shed on those very important meetings?

Mr. Brooke: I am sorry that, having been tabled for that purpose, the question has not elicited information that would sustain the questions that the right hon. Gentleman subsequently asked, but I repeat that the nature of the meetings is irregular. We have a widespread agenda and it would be inappropriate for us to publish the conversations that we have in the context of specific arts institutions. The new code of practice under the open government initiative commits us to making available facts and analysis underlying policy decisions. It does not require the publication of minutes of meetings.

Mr. Simon Coombs: Has my right hon. Friend had an opportunity to discuss with the new chairman of the Arts Council his attitude towards the previous regime's policy of organising a beauty contest for the London orchestras? Has my right hon. Friend had an opportunity to tell the new chairman of the total opposition of the House to that proposal? Has he had the reassuring news from the new chairman that he proposes to drop any suggestion in future of reducing the funding to the London orchestras and thus the number of orchestras that remain in existence?

Mr. Brooke: The issue to which my hon. Friend refers arose under the previous chairman of the Arts Council, but a line was drawn under that project. I do not think that there is any doubt that the Arts Council is fully apprised of the attitude of the House towards the exercise in which it engaged last year.

Women in Sport Conference

8. **Mr. Wareing:** To ask the Secretary of State for National Heritage what part the Government played in the Women in Sport conference on 7 May.

10. **Mrs. Golding:** To ask the Secretary of State for National Heritage what part his Department played in the Women in Sport conference on 7 May.

Mr. Sproat: The Sports Council, which is funded by my Department, organised the international conference on Women, Sport and the Challenge of Change, which took place from 5 to 8 May. I was delighted to note the leading parts played in the conference by two of our recent appointees to the Council, Dr. Sarah Springman and Julia Bracewell.

Mr. Wareing: But can the Minister explain why no Minister from his Department was present at that conference, as it was attended by all the relevant sporting organisations and by my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry), who is the shadow Minister for sport? Does not the lack of a ministerial presence at that conference illustrate the complete lack of commitment to the role played by women in sport in this country?

Mr. Sproat: No, it certainly does not. I have expressed my support for such a role on previous occasions, and I take this opportunity to congratulate the England women's rugger and cricket teams on recent triumphs on the world stage. *[Interruption.]* Fifteen-a-side.

The key answer to the hon. Gentleman's question is that my noble Friend Baroness Trumpington was booked to appear on the Thursday but had to speak on Sunday trading in the House of Lords. Julia Bracewell—whom I have already mentioned—made a powerful speech as a member of the Sports Council, with which we agree.

Mrs. Golding: To make up for his failure to attend the conference, would the Minister be prepared to convene a meeting of representatives of television, radio and the press to find a way of promoting women in the media, and to help to encourage them to participate in sport?

Mr. Sproat: I will certainly undertake to speak to Dr. Sarah Springman and Julia Bracewell to see whether they, as two women members of the Sports Council, have any further ideas following the Brighton declaration—which I have read; I should be surprised if other many hon. Members had done so. I will do what I can.

Mr. Bill Walker: Is my hon. Friend aware that, in Scotland, we certainly do not notice women failing to compete in sport effectively and well? In fact, we are rather proud of the way in which they compete. Women are very good at gliding, the sport in which I indulge; indeed, we have had women champions in United Kingdom gliding teams.

Mr. Sproat: I was not aware of the gliding component among women in Scotland, but I know that my hon. Friend is playing an honourable part in the D-day commemorations by gliding over the south of England. Moreover, Julia Bracewell, whom I mentioned earlier, actually comes from Scotland.

Mr. Pendry: Is the Minister aware that he missed a very important conference? It was the first ever international conference on women in sport, and it happened in this country. There were 280 delegates from 82 countries, including Sports Ministers from many of those countries.

Many of those present were bemused—and some of us were ashamed—that no British Minister was present. Will not the Minister at least support the Opposition by endorsing the declaration made at the conference that there should be an increase in women's involvement in sport at all levels?

Mr. Sproat: If more women wish to involve themselves in sport I shall be very glad for them to do so, but it is up to them. I read the declaration: it was political correctness in excelsis, but it nevertheless said some useful things.

Tourism

9. **Mr. Nigel Evans:** To ask the Secretary of State for National Heritage what estimates have been made of the number of tourists visiting the United Kingdom from abroad in 1994-95.

Mr. Sproat: The British Tourist Authority estimates that in 1995 around 21.7 million visitors from abroad will come to the United Kingdom. This represents an increase of 6 per cent. on the estimated figure for 1994. The figure for 1994 is around 20.4 million, which represents an increase of 7 per cent. on the provisional figure for 1993 of 19.1 million.

Mr. Evans: I am grateful for that reply. It is clearly important for us to attract as many visitors from abroad as possible, and a record figure has been achieved—almost 22 million. Is not it also important, however, to attract as many of those visitors as possible to the regions? Let me cite the region I know best, which is the north-west. If people have the opportunity to visit my constituency, they will see natural, beautiful countryside; within 20 miles of the Ribble valley is Blackpool, where they can see the Blackpool tower—which is celebrating its centenary—and the tallest, fastest roller-coaster in the world.

Mr. Sproat: I agree that we want as many visitors as possible to come to this country and to get out into the many beautiful areas that it contains. According to the latest figures that we have, the total amount spent by all visitors to my hon. Friend's part of the world was some £978 million, which is a very large figure. The number of visitors to the area has risen by some 13 per cent. over the past 10 years, and some 175,000 people are employed in tourism—so we certainly take the matter extremely seriously.

Mr. Skinner: Is the Minister aware that there were tourists outside the House of Commons today looking at disabled people who were trying to get in? Those people were refused admission through the main entrance and up the stairs, and were told to go round the side. They crawled on their hands and knees to the carriage gates, and then the gates—

Madam Speaker: Order. This is nothing whatever to do with the Minister. The question relates to tourists visiting the United Kingdom from abroad. I know exactly what the hon. Gentleman is referring to, and it is nothing to do with the Minister.

Mr. Sproat *rose—*

Madam Speaker: Will the Minister answer the first part of the question, which concerns United Kingdom visitors coming to the House of Commons?

Mr. Sproat: I do not know how many of the visitors to whom the hon. Gentleman referred came from abroad, but I assure him that they were given a warm welcome from this country.

Mr. Mans: Does my hon. Friend agree that, despite the antics of Lancashire county council and the European Commission in their attempts to denigrate Blackpool, the Fylde coast, and Blackpool in particular, is still the premier tourist resort in Europe? Will he do all that he can to counter the efforts of the county council and the Commission to suggest that the beaches are not clean? The beaches have never been cleaner. Furthermore, will my hon. Friend take an early opportunity to have a go on the new ride at Blackpool?

Mr. Sproat: I gladly join my hon. Friend in paying tribute to Blackpool. I think that I am right in remembering that turnover from tourism in Blackpool amounts to some £445 million a year and that there are more bed spaces in Blackpool than in the whole of Portugal.

Mr. Alan W. Williams: We should remember that Britain has much to offer visitors from the European Community—history, buildings and beautiful countryside. Therefore, is not it desperately sad that Britain's image in Europe is one of half-hearted membership? Would not we have far more visitors from Europe if the Government adopted a more positive and constructive approach to the European Community?

Mr. Sproat: We do adopt a constructive approach to the Community. The hon. Gentleman may be interested to hear that, for the first time, the number of visitors from France, a member of the European Union, has equalled the number of American visitors, although the French do [illegible] spend as much money.

National Lottery

11. **Mr. Deva:** To ask the Secretary of State for National Heritage when he expects the national lottery to sta[illegible]

Mr. Brooke: That will depend on the plans of the operator who is selected by the Director General of Oflot to run the national lottery. It is possible that the first lottery draw will be held at the end of 1994 or early in 1995.

Mr. Deva: Does my right hon. Friend agree that the high standard of bidders for the national lottery bodes well for its future and that it is recognised that there is great potential for success for the good causes that the lottery is designed to benefit?

Mr. Brooke: I have not had access to the bids, but I have no doubt that, quantitatively, distinguished organisations entered the bidding as 375 boxes of information were placed in support of eight bids. The director general has had a lot to consider.

Ms Mowlam: Does the Secretary of State agree that public confidence in the national lottery is being seriously impaired by the appointment of Tory "placepeople" to the quangos responsible for implementing and allocating the money? An example of that is the recent appointment of the Conservative party treasurer to head the Charities Board? When will the right hon. Gentleman start putting the interests of the nation before those of the Conservative party?

Mr. Brooke: The hon. Lady talks out of both sides of her mouth on the subject of the lottery, and I have to say that it is not a pretty sight. The information that, through early-day motions or other briefings, she has allowed to percolate through to the nation has frequently been inaccurate, and she is not doing the lottery any good.

Mr. Tracey: Does my right hon. Friend agree that the national lottery is likely to start much earlier and to be a much greater success if an operator with true experience is selected, rather than gimmickry?

Mr. Brooke: I have obviously seen the amendment that my hon. Friend tabled to an early-day motion on that subject. The director general will announce the name of the operator this week, so it would be improper of me to make any hypothetical observations on his announcement.

"Marshall Plan of the Mind"

12. **Mr. Barnes:** To ask the Secretary of State for National Heritage what discussions he has had with the BBC concerning its "Marshall Plan of the Mind" project; and if he will make a statement.

Mr. Brooke: I enjoyed attending the launch of the "Marshall Plan of the Mind" exhibition in the House, where I had various discussions but of a purely informal nature. The main responsibility for that initiative rests with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs.

Mr. Barnes: Why is this crude capitalist propaganda being pushed out in the Russian media with the help of the Government know-how funds, and why does it have charitable status? Why does not the programme show what life is really like in free market Britain, with 5 million unemployed, a third of our children living in poverty, 500,000 people on housing lists and 500,000 building workers out of work?

Mr. Brooke: The hon. Gentleman misses the point of the programme. The purpose of the "Marshall Plan of the Mind" is to assist the people of Russia to make progress economically over a wide front and in a number of imaginative ways. The BBC has received extremely enthusiastic responses from the Russian audiences that have seen it and, frankly, the hon. Gentleman's question was a disgrace.

Mr. Peter Bottomley: Has not that question at least provided my right hon. Friend with the opportunity to share with the House the true facts about the "Marshall Plan of the Mind"? Would not it be a good thing if World Service Television and the "Marshall Plan of the Mind" were as successful as World Service on radio?

Should not we continue to demonstrate the benefits of flexible economics and politics and of dedication to self-improvement which, in many ways, has allowed this country to lead the world in broadcasting, publishing and spreading many of our technical skills?

Mr. Brooke: I am most grateful to my hon. Friend. The BBC's reputation around the world has been earned because the world knows that the BBC tells of life in this country as it is. I am likewise grateful to my hon. Friend for rebutting the suggestions made by the hon. Member for Derbyshire, North-East (Mr. Barnes).

Southall Town Hall

13. **Mr. Khabra:** To ask the Secretary of State for National Heritage when he last met the chairman of English Heritage to discuss the sale of Southall town hall.

Mr. Sproat: I have not had cause to do so.

Mr. Khabra: Does the Minister recall that I wrote to him and to the Prime Minister to express anxiety about the previous Tory council's decision to sell the town hall, which is a public property used for the benefit of the community? Will he join me in applauding the new Labour-controlled Ealing council's decision to take it off the market and preserve it for the benefit of the community? Does he agree that it was the unpopular policies pursued by the then Tory administration in Ealing which led to its losing heavily to the Labour party in the local election?

Mr. Sproat: The hon. Gentleman's question has nothing to do with me in my capacity as a Minister at the Department of National Heritage but if he believes that the town hall should be listed, I should be glad to receive further evidence from him.

Tourism

14. **Mr. Jacques Arnold:** To ask the Secretary of State for National Heritage what analysis he has made of the latest figures on spending by tourists.

Mr. Sproat: Domestic tourism generated approximately £19.7 billion in 1992 while overseas visitors spent £9.2 billion here in 1993, some 17 per cent. more than in 1992. An all-time record 19.1 million overseas visitors came to the United Kingdom in 1993, an increase of 3 per cent. on 1992. There are encouraging signs that 1994 will also be a good year for the industry.

Mr. Arnold: Is not it significant that, despite a world recession, record numbers of tourists are coming to the United Kingdom and that their spending has increased vastly? Will my hon. Friend comment on the work of the British tourism authorities and the part that they have played, through their offices abroad, in that significant success?

Mr. Sproat: Yes, I am glad to acknowledge the role played by the British tourism authorities. Their role is extremely important, which is why we have increased their funding at a time of recession and cuts elsewhere. As for visitors, the number coming from north America may have been underestimated; there may be more than we have accounted for so far.

National Lottery

15. **Sir Ivan Lawrence:** To ask the Secretary of State for National Heritage what response he has received to the National Lottery etc. Act 1993; and if he will make a statement.

Mr. Brooke: I have received a very positive response to the National Lottery etc. Act 1993 from a wide range of groups and individuals throughout the country.

Sir Ivan Lawrence: Will my right hon. Friend do his best to ensure that, consistent with the requirement of the National Lottery etc. Act, the director of Oflot chooses as the operator of the lottery the company that can guarantee the largest possible return for the arts, sport, heritage and charities? That is, after all, the reason why the lottery was set up.

Mr. Brooke: I have absolute confidence in the decision that the Director General of Oflot will make and that he will make it in accordance with the wording of the Act to which my hon. and learned Friend has just referred.

Tourism

16. **Mrs. Browning:** To ask the Secretary of State for National Heritage what representations he has received regarding deregulation and tourism; and if he will make a statement.

Mr. Sproat: I have received an enormous number of representations, both orally and in writing, about the damaging effect of regulations on tourism businesses. Very few of these fall under my Department.

Mrs. Browning: Does my hon. Friend agree that the burden of over-regulation on the tourism industry has been onerous? Although that problem may not fall directly on his Department, will he please liaise with the necessary Departments of Government so that he can impress on other Ministers exactly how important this industry is, especially to the west country, and how burdens are stopping small businesses, especially in the tourism areas, progressing?

Mr. Sproat: Yes, I gladly agree with my hon. Friend, especially on tourism in the west country. She plays a major part in helping to draw the attention of the House to its importance. We have discovered more than 90 regulations that have impacted badly on the tourist industry. We have divided them into seven main sections and I have taken them up individually with the Ministers responsible in other Departments. We are certainly seeing some progress.

ATTORNEY-GENERAL

Malcolm Kennedy

29. **Mr. Mullin:** To ask the Attorney-General if he will make a statement on the decision of the Crown Prosecution Service not to call the former PC Giles as a witness in respect of the prosecution of Malcolm Kennedy.

The Attorney-General (Sir Nicholas Lyell): Day-to-day decisions on the conduct of cases are matters for the independent prosecuting authorities and prosecution counsel.

Mr. Mullin: Does the Attorney-General recall that when the Lord Chief Justice quashed Mr. Kennedy's conviction, he said that all the new evidence should be put before a new jury? Why, then, did the Crown Prosecution Service go to such lengths to keep the evidence of PC Giles from the jury? Is the Attorney-General aware that there is a widespread feeling among those who take an interest in those matters that a serious miscarriage of justice has occurred in this case?

The Attorney-General: The hon. Gentleman should remember that those are matters for the independent courts. The issue was fully canvassed before the court and ruled on by the judge. The defendant's advisers will, no doubt, be considering whether to take the matter further on appeal.

Crown Prosecution Service, Essex

30. **Mr. Jenkin:** To ask the Attorney-General if he will pay an official visit to the Crown Prosecution Service in Essex to discuss its performance.

The Solicitor-General (Sir Derek Spencer): I visited the Chelmsford branch of the Crown Prosecution Service on 23 February this year.

Mr. Jenkin: May I draw my hon. and learned Friend's attention to the excellent working relationship between the Colchester police and the Crown Prosecution Service? Is not this an example that other forces should follow?

The Solicitor-General: No visit to the Crown Prosecution Service is complete without a visit to the police administration support unit which serves it. The units ensure that files are properly prepared before the police submit them to the Crown Prosecution Service. When I was in Chelmsford, I found that there was excellent co-operation between administration support units and the CPS, including in the area to which my hon. Friend referred.

Mr. Bermingham: Does the Solicitor-General agree, having visited Colchester, as he visited other offices, that there is a persistent problem in the Crown Prosecution Service—the inconsistency in the decisions on whether to prosecute? Now that the number of areas has been reduced to 13, a greater consistency in prosecution policy should be achievable.

The Solicitor-General: When I went to Sheffield, I had a long talk with one of the senior Crown prosecutors, who is known to the hon. Gentleman. Like the Crown prosecutors at Chelmsford and Colchester, she made no such complaint.

Scott Inquiry

31. **Mr. Winnick:** To ask the Attorney-General if he will be giving evidence again to the Scott inquiry.

The Attorney-General: I have received no request to give further evidence, but if I did, I would.

Mr. Winnick: I note that reply. Would the Attorney-General do his very best to stop the way in which some Government supporters are undoubtedly orchestrating attempts to discredit the Scott inquiry before it reaches its conclusions? Should not the Scott inquiry be fully supported as it looks into the ways in which, undoubtedly, Parliament was lied to over arms being sent to one of the most criminal regimes?

The Attorney-General: Every aspect of the hon. Gentleman's question seems to me to be one of conjecture.

Mr. Burns: Is not the best advice that my right and learned hon. Friend can give that people should await the announcement of the results of the Scott inquiry, and then he would not have to put up with silly questions such as that?

The Attorney-General: I entirely agree with my hon. Friend.

Mr. John Morris: Does the Attorney-General recall his recent answer that the special nature of the certificates signed by the President of the Board of Trade was expressly drawn to Lord Justice Scott's attention? He said that

"it leapt from the page".—[*Official Report*, 25 April 1994; Vol. 242, c. 14.]

Is that the best answer that he can give? Does he still feel that he has carried out his obligation to the President? Does he recall telling the inquiry that his certificate was "ambiguous" and that it did not reflect clearly the President's view that documents should have been disclosed? Would not it be better for the Attorney-General to do himself justice and to volunteer to go back to the inquiry?

The Attorney-General: I remind the right hon. and learned Gentleman of what I said last time, which was:

> "Nobody reading that specially designed certificate who had any understanding of the subject of public interest immunity could fail to realise that it was a special certificate designed to leave the decision on whether the documents should be disclosed to the defence to the judge."—[*Official Report*, 25 April 1994; Vol. 242, c. 14.]

I hope that the right hon. and learned Gentleman understands that.

Mr. Maclennan: Did the Attorney-General give the same general advice to both the President of the Board of Trade and the Chancellor of the Exchequer as to their duty on disclosure? If he did, why do their evidence and their public statements appear to be so contradictory?

The Attorney-General: In fact, I was asked to advise only one Minister, and that was the President.

Crown Prosecution Service (Delays)

32. **Mr. Steen:** To ask the Attorney-General if he will make a statement about delays in prosecuting cases by the Crown Prosecution Service.

The Attorney-General: It is the aim of the Crown Prosecution Service to work closely with the police and the courts to keep delays to a minimum.

Mr. Steen: I am grateful to the Attorney-General for the full investigations that he has made into the case of Mrs. Chappell, an elderly lady who was knocked over on a pedestrian crossing and who had to wait a year, which was far too long, before the magistrates court finally made a decision. Will he confirm that, although the Crown Prosecution Service was not at fault, there were delays, both in the courts and by the police? Will he ensure that some investigation is made so that the public have greater confidence in the speed at which justice is carried out and that there is not such incompetence as there was in that case?

The Attorney-General: The first thing to make clear is that, of course, the Crown Prosecution Service comes into a case only when it is drawn to its attention by the police. In that case, it took the police some time to investigate. However, it also took some time to bring the case on to trial, not least because of a request by the defence for quite a long adjournment.

Crown Prosecution Service, Hereford and Worcester

33. **Mr. Luff:** To ask the Attorney-General if he will pay an official visit to the Crown Prosecution Service in Hereford and Worcester to discuss its performance.

The Solicitor-General: My right hon. and learned Friend the Attorney-General last visited offices of the Crown Prosecution Service in the Severn-Thames area, of which Hereford and Worcester is a part, in November of last year and will be visiting another office in the same area next month.

Mr. Luff: During those visits to Crown Prosecution Service offices, has my right hon. and learned Friend had his attention drawn to the fact that discontinuance rates are falling sharply all around the country? Should not that development be warmly welcomed?

The Solicitor-General: My hon. Friend is quite right. Not only are discontinuances falling, but case loads are rising. The number of discontinuances fell from about 193,000 in 1992 to 175,000 last year. The number of cases received has risen in the magistrates court for the quarter ending March 1994 by 1.7 per cent. and in the Crown court by 2.4 per cent.

Crown Prosecution Service

34. **Mr. Duncan Smith:** To ask the Attorney-General if he will make a statement on the work of the Crown Prosecution Service.

The Solicitor-General: The main activity of the Crown Prosecution Service is the efficient and effective prosecution of criminal cases.

Mr. Duncan Smith: Is my hon. and learned Friend satisfied that assaults on members of the police force are being satisfactorily dealt with by various authorities? Is not it time to review all aspects of charging in the light of recent cases?

The Solicitor-General: My hon. Friend's advice is well given. We have set up a working group, which will be staffed by both police and senior CPS lawyers, to ensure that there is greater consistency of charges in assault cases. If my hon. Friend were to spend 15 minutes behind the desk of the custody suite at his local police station, he would see the circumstances in which the custody officer has to decide what is the appropriate charge in any given case. If, a few weeks later, he were to go to his local branch office of the CPS and see the circumstances in which the same case were reviewed by a lawyer, who will have far more information available to him, he would recognise that it is not surprising that charges sometimes have to be altered. That is not a criticism of either the police or the lawyers who deal with a particular case.

OVERSEAS DEVELOPMENT ADMINISTRATION

Belize

40. **Mr. Gunnell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what funding from his Department was spent on development in Belize in 1993-94; and what is planned for the current year.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): Expenditure for 1993-94 was in excess of £5 million and we expect to maintain that level in 1994-95.

Mr. Gunnell: Given the £9 million reduction in defence spending does the Minister feel that there is a case for increasing development aid to Belize? An increase would allow, as it were, for some of the difficulties that are continuing because of illicit drug trafficking. Would not increasing development in the area strengthen the economy and strengthen the fight against drug trafficking?

Mr. Lennox-Boyd: Aid has been increasing modestly over the past few years. From the year before last to last year it was increased. We hope to meet the problems that Belize has by retaining in part, in the defence area, a resident training programme of about 100 men and a substantial aid programme. The aid represents a large sum per head—it is £30 per capita. We are already helping with the Southern highway, and we shall possibly consider giving more aid.

Mr. Matthew Banks: Does my hon. Friend agree that, in the context of Belize and other lesser developed nations, it is quality that counts, not quantity, and that the British overseas aid programme is one of the finest in the world?

Mr. Lennox-Boyd: My hon. Friend is right. Our aid programme is one of the finest in the world. It is targeted to the poorest nations and it has proved extremely effective. It has often been commented on by international agencies when comparing one country's aid programme with another.

Human Rights

41. **Mr. Gapes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria are used in determining whether there has been gross human rights abuse in countries in receipt of British aid.

Mr. Lennox-Boyd: Judgments concerning human rights are based on assessments of individual country circumstances. Those are judged in the light of universal and internationally agreed standards.

Mr. Gapes: Why is it that China is the fifth country in the list of countries receiving British aid, why is Indonesia the 11th, why has Britain's aid to China increased from £21 million to £35 million last year and why did we spend £21 million on Indonesia? Given their appalling human rights records—Tiananmen square on the one hand and East Timor on the other—why is it that we give aid and trade provision support to China and Indonesia?

Mr. Lennox-Boyd: I know that the hon. Gentleman takes an interest in Chinese affairs and is a member of the Select Committee on Foreign Affairs. The views that he expresses are very much out of line with those of the Select Committee, which in its report suggested that it was only right that we should continue to have a relationship with China. The principles of aid have to take into account not only human rights, which the hon. Gentleman has identified, but other factors. China is a large country in which we have a modest programme. It is wiser to be in there discussing matters and making our views known to the Chinese than to be breaking off any relationship with them.

Sir John Stanley: As Rwanda must be one of the countries in which the most gross abuses of human rights are occurring, what steps will the Government now take to take further measures to save life in that country and to alleviate the desperate suffering that is occurring there?

Mr. Lennox-Boyd: My right hon. Friend raises the most dreadful and barbaric tragedy in the world at this moment. He will be aware that we have announced emergency relief aid worth £3.3 million in the past few weeks. I have no doubt that further consideration to other assistance will be given in due course.

Mr. Harvey: Should not the human rights records of countries be considered consistently throughout the aid programme? Given that countries like Kenya and Malawi have, at various points in time, had aid withdrawn, why do large sums continue to be given to Indonesia, particularly given the record of East Timor?

Mr. Lennox-Boyd: As I have said, every country must be considered on a case-by-case basis. We make our concerns about human rights very clearly known in Indonesia. However, there are attempts to improve the situation and Indonesia has a terrific record of relieving poverty. The incidence of poverty in 1970 was 60 per cent. and that was reduced to 15 per cent. in 1990. Aid for what is still a relatively poor country, and for what was a very poor country, is being extremely well used.

Mr. Tom Clarke: Does the Minister agree that, despite its history, Uganda's human rights performance has improved immensely? In view of that, how are the Government going to respond to the President's plea for assistance to deal with the problem of the 40,000 or more bodies in Lake Victoria, which are a result of the genocide in Rwanda? Does not the international community have a responsibility to respond to that plea in the light of the forthcoming catastrophe in public health both in Uganda and in neighbouring countries?

Mr. Lennox-Boyd: Most certainly we recognise that terrible aspect of what is already a terrible problem. We are responding to the appeal of President Museveni by giving assistance to the Save the Children Fund, which is working with the Lutheran World Service to clear and to bury the bodies on the north-western shores of Lake Victoria.

Mr. Cash: Will my hon. Friend accept from the Conservative Benches that we, too, are deeply concerned about the situation in Rwanda and about the problems set out by the hon. Member for Monklands, West (Mr. Clarke) with regard to Lake Victoria? Will my hon. Friend also consider the fact that one of the reasons why Uganda would have difficulty in providing the necessary resources is that one third of its entire budget goes on paying back interest on debt? Would not it be sensible to recognise that Uganda has now, with the recent elections, established a degree of stability that should lead us to do everything possible to suspend the debt in Uganda as an example to the rest of Africa?

Mr. Lennox-Boyd: My hon. Friend will be aware tha[illegible] Britain was foremost in initiating the Trinidad terms fo[illegible] debt relief and that my right hon. Friend the Prime Minister, who was then Chancellor of the Exchequer, did so in 1990. Twenty-two countries have benefited, 17 in Africa. However, that debt relief is based on criteria which have been carefully worked out to help the poorest nations, not the middle-income nations. Those criteria must apply wherever debt relief is applied. If Uganda comes within those criteria—I cannot at the moment answer my hon. Friend on that point—it will be eligible for consideration by the Paris Club.

Overseas Aid

42. **Mr. Wareing:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had in the European Union Council of Ministers about the levels of overseas aid provided by member countries.

Mr. Lennox-Boyd: Discussions in the European Union Council of Development Ministers, including the meeting held on 6 May, regularly cover the issues of aid volume and aid policy.

Mr. Wareing: Has the Minister been able to explain to his European counterparts how Britain, alone among European Union countries to have the benefit of revenues from North sea oil over the past decade, spends only 0.30 per cent. of gross national product on overseas aid, which is well below the 0.45 per cent. average of European Community countries? Can he perhaps take advice from some of his counterparts in the EC about how that position might be improved?

Mr. Lennox-Boyd: The important thing for the hon. Gentleman to bear in mind is that in the past eight years our aid volumes have increased by 10 per cent. in real terms, that 80 per cent. of the aid is targeted to the poorest countries and that there is a substantial amount of private investment from Britain in the poor world—half of the European Community total of overseas investment, about £1.7 billion worth in 1992, came from Britain.

Mr. Lester: Will my hon. Friend confirm that the British Government play a major part in influencing the spending of the European development fund so that it fulfils the policy that we pursue with our fund, and therefore achieves the most good?

Mr. Lennox-Boyd: Yes, my hon. Friend is quite right. We play a leading role in aid co-ordination in the European Community and are great supporters of the Horizon 2000 initiative, which promotes co-ordination at all levels between member states. Several of our leading officials are seconded to the European Community to help the community to determine its aid budget priorities.

Points of Order

3.30pm

Mr. Alfred Morris (Manchester, Wythenshawe): On a point of order, Madam Speaker. At column 1080 of the *Hansard* published today of Friday's proceedings on the Civil Rights (Disabled Persons) Bill, at the foot of that column, after the paragraph beginning "For example", there is an intervention wrongly attributed to me, which is very damaging as to my standing in relation to the Bill. I have had a word with the Editor of *Hansard* about the mistake. It is one, I feel, that should be very urgently corrected, for reasons that will be obvious to anyone who reads it who was here.

The other point, briefly, is that you, Madam Speaker, will know that there has been a demonstration by disabled people here today. I was not informed of the reason—

Mr. John Marshall (Hendon, South): What is the point of order?

Mr. Morris: I have raised a point of order about a mistake in column 1080 and I am asking for any guidance you, Madam Speaker, can give disabled people in answer to the question, "How can we possibly win, what more can we do when we have a parliamentary majority for the Bill?" I know it is very difficult, Madam Speaker, but there is very strong feeling among disabled people that they are not getting anywhere by the parliamentary process.

Madam Speaker: Of course I have to answer to the House and not to any individual or group outside it. The right hon. Gentleman is really asking how he can pursue the issue and I quite understand his and many others' frustrations about this. May I suggest to him that he has to use the usual channels or approach the Leader of the House about further time for this; or there are the recess Adjournment motions later this week—he might like to attempt it through that method.

Mr. Morris: On the *Hansard* point, Madam Speaker.

Madam Speaker: On the *Hansard* point, I think that the right hon. Gentleman has in fact corrected it himself and I will certainly follow through to see that it is corrected.

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. Earlier today, as you may be aware, at about 11 o'clock, a number of disabled persons wanted to get into the House of Commons, and I agreed that I would see them and take them round Parliament. They wanted to go through the main entrance. They were stopped by the Serjeant at Arms, who said that he was not prepared to see them trying to get up the steps. He then told me that they could go round through the big carriage gates. They decided to do it as an act of symbolism—to crawl on their hands and knees against what has happened to the Civil Rights (Disabled Persons) Bill. When they got to the carriage gates, although they had been promised access that way, the gates were shut in their faces.

It is one thing for the Minister for Social Security and Disabled People to kick away the crutches of those disabled people, but I think that it is an affront when, in parliamentary terms, they are not allowed to go through the main entrance and they are not allowed to crawl their way through the side entrance either. When will you, as Speaker of the House, ensure that the Serjeant at Arms allows disabled people to have the same rights of access to this building as anyone else?

Madam Speaker: The hon. Gentleman and the entire House are fully aware that there is access for disabled people through New— *[Interruption.]* Just a moment; I am speaking. This is very serious. There is right of access to the House through New Palace Yard for disabled people. I believe that this morning some disabled people were unfortunately encouraged by some Members of the House to crawl— *[Interruption.]* Order. Listen to what I have to say. They were encouraged to crawl up the steps at St. Stephen's entrance, for the benefit of the media. They were informed that they could approach through New Palace Yard. If those gates were not open, I will make it my business to find out why. That is the entrance for disabled people. There are facilities there to help them enter every level of the House. I believe that the dignity of the disabled should be respected as much as that of any individual Member of this House.

Ms Liz Lynne (Rochdale): On a point of order, Madam Speaker. Now that she has returned from Malawi, has the hon. Member for Sutton and Cheam (Lady Olga Maitland) said whether she is prepared to come to the House to apologise for misleading the House about who drafted the amendments that were tabled in her name to the Civil Rights (Disabled Persons) Bill? Six and a half million disabled people will suffer because of her actions.

Madam Speaker: The matter is still under consideration. I made representations to the hon. Lady. The letter went to Malawi. I expect to hear from her before this day is out.

Mr. Peter Thurnham (Bolton, North-East): Further to the earlier point of order, Madam Speaker. I came through the New Palace Yard gates at 2 pm. There were several disabled people there. The gates were not shut. I understood from the police that they could have come in two at a time with the hon. Member for Bolsover (Mr. Skinner) if they so wished, but he was nowhere to be seen.

Mr. Robert N. Wareing (Liverpool, West Derby): On a point of order, Madam Speaker. You will recall that 11 years ago I, too, introduced a Bill to outlaw discrimination against disabled people. On that occasion, rather similar tactics were used against my Bill, with the support of the Government. However, Lord Longford introduced a similar Bill to the House of Lords and came within 12 votes of being successful. If a noble Lord took up the Bill of my hon. Friend the Member for Kingswood (Mr. Berry) and it was successful, would it take precedence over other private Members' Bills entering the House?

Madam Speaker: I do not give procedural advice of that nature across the Floor of the House. The hon. Gentleman might do well to seek that advice from the Public Bill Office.

Mr. Tom Clarke (Monklands, West): Further to the point of order of my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris). May I point out that in the proceedings two weeks ago last Friday my right hon. Friend is recorded in *Hansard* as intervening in the speech of the hon. Member for Gainsborough and Horncastle (Mr. Leigh) to correct him when he referred to my right hon. Friend as an hon. Member. Everyone knows that my right hon. Friend is one of the most modest Members of the House and that he would never have said such a thing. I said it, and I am greatly surprised to be told by *Hansard* that, although the error can be corrected in the bound volume, it cannot be pointed out in the meantime. Is it possible for a future edition of *Hansard* to put the record straight?

Madam Speaker: The hon. Gentleman may have to refer that to the appropriate Committee.

Mr. Gordon McMaster (Paisley, South): Further to the earlier point of order by my hon. Friend the Member for Bolsover (Mr. Skinner).

Madam Speaker: Order. I have dealt with that—very adequately, if I may say so. It had better be a new point of order, otherwise I cannot hear it. Is it further to that point of order?

Mr. McMaster: It is a new point of order, Madam Speaker. As you will be aware, the Accommodation and Works Committee is currently considering the topic of access to the Palace by disabled people. Last week, I gave evidence on behalf of the all-party disablement group to that Committee. Although I understand what you said in your ruling about the dignity of disabled people, one of the points that was made strongly in the Committee last week—

Madam Speaker: Order. Matters that are dealt with in Committees are not matters for me. It is not a point of order for me. If the hon. Gentleman has a point of order, I will hear it, but I am afraid that we are getting into a debate. What happened in Committee is not a matter for me.

Mr. McMaster: I am sorry, Madam Speaker, but the signals that the Chamber sends out this afternoon will be important to that Committee. Surely it should be set out that disabled people—

Madam Speaker: Order. That is not a point of order for me.

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. Is there any way in which amendments could possibly be tabled earlier? I ask the question because on 11 March, as you know, the Second Reading of the Civil Rights (Disabled Persons) Bill was passed with 231 votes in favour and none against. In Committee, for which I know you are not responsible, not one Government amendment was tabled. When the Bill came back to the House on Report, more than 80 Government amendments had been tabled, although not in the name of the Government, to ensure that the Bill to help 6.5 million disabled people was killed off. Is there any way in which an indication could be given previously so that people would know that the Government were determined to kill any attempt at legislation to help the disabled?

Madam Speaker: The hon. Member himself can be extremely helpful in that matter. He is a member of the Procedure Committee which is already examining the procedure for private Members' Bills. I have submitted a reference to the Committee myself.

Mr. Tam Dalyell (Linlithgow): On a point of both order and, to be candid, frustration, Madam Speaker. How come questions properly placed on the Order Paper—including one of substance to the Prime Minister—for Thursday have now suddenly evaporated by alchemy from the Order Paper? Did not it used to be the case that when questions were accepted for a Thursday—even if the dates of recesses were changed—they were taken, and the House then proceeded to the Adjournment debate? Was not that the situation?

Madam Speaker: The hon. Gentleman must have missed a motion which was on the Order Paper and an announcement which I made a few days ago. If he would like me to direct him to the motion, I will do so. There was a motion on the Order Paper, and the hon. Gentleman may well have missed it.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Madam Speaker. The baying from the Conservative Benches during points of order was entirely inappropriate, because there is genuine anger outside about what happened to—

Madam Speaker: Order. I need a point of order, and not a long statement.

Mr. Foulkes: I have been asked by people outside to ask you whether there is anything that you or the House can do in relation to the code conduct of Ministers. People outside cannot understand how a Minister can secretly draft amendments, not tell the truth to the House and still continue as a Minister.

Madam Speaker: Order. I have been through this a number of times, and I think that the hon. Gentleman knows the answer. I have given him the answer already. *[Interruption.]* Order. If the hon. Gentleman listens, he might like to tell whoever is interested that the entire procedure for private Members' Bills is now before the Procedure Committee.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Madam Speaker. I know that you take the opinions and decisions of the House seriously. Will you confirm that you will take seriously, and would like to see acted upon, the decision made by the House on a motion brought in by the hon. Member for Exeter (Sir J. Hannam) that opportunity should be found to discuss and vote on the Civil Rights (Disabled Persons) Bill?

Madam Speaker: That is a matter for the House, and not for the Chair.

STATUTORY INSTRUMENTS, &c

Madam Speaker: With permission, I shall put together the motions relating to statutory instruments.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committees on Statutory Instruments, &c.).

INDUSTRIAL TRIBUNALS

That the draft Industrial Tribunals Extension of Jurisdiction (Scotland) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Industrial Tribunals Extension of Jurisdiction (England and Wales) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Chapman.]*

Question agreed to.

Orders of the Day

Deregulation and Contracting Out Bill

As amended (in the Standing Committee), further considered.

Clause 20

BUILDING REGULATIONS: POWER TO REPEAL OR MODIFY PROVISIONS OF LOCAL ACTS

Amendment made: No. 80, in page 20, line 5, at end insert—

'(2) In section 14 of that Act (consultation) there shall be inserted at the end—

"(4) Before making any building regulations containing provision of the kind authorised by paragraph 11(1)(c) of Schedule 1 to this Act, the Secretary of State shall consult—

(a) the Building Regulations Advisory Committee,

(b) such persons or bodies as appear to him to be representative of local authorities, and

(c) such other bodies as appear to him to be representative of the interests concerned.".'.—[*Mr. Neil Hamilton.*]

Clause 22

RIVAL MARKET NOT TO CONSTITUTE DISTURBANCE

Amendment made: No. 51, in page 20, leave out lines 24 to 40.—[*Sir Michael Neubert.*]

Clause 23

REPEAL OF OFFENCES WHICH RESTRICT COMPETITION IN RELATION TO MARKETS

Amendment made: No. 6, in page 20, line 41, leave out from beginning to end of line 18 on page 21.—[*Mr. Fatchett.*]

Clause 24

REPEAL OF CERTAIN POWERS TO MAKE BYE-LAWS IN RELATION TO MARKETS

Amendment made: No. 52, in page 21, leave out lines 19 to 25.—[*Sir Michael Neubert.*]

Clause 25

CONTROLS ON LONDON LORRIES: REPLACEMENT OF DISCRETIONARY EXCEPTIONS

Amendment made: No. 82, in page 22, leave out line 25 and insert—'(9) Before making any order under this section, the Secretary of State shall consult with such representative organisations as he thinks fit; and any such order shall be made'.—[*Mr. Norris.*]

Schedule 8

EMPLOYMENT AGENCIES ETC: REPLACEMENT OF LICENSING

Amendment made: No. 81, in page 85, leave out lines 12 to 20.—[*Mr. Neil Hamilton.*]

Schedule 9

MISCELLANEOUS DEREGULATORY PROVISIONS: CONSEQUENTIAL AMENDMENTS

Amendment made: No. 84, in page 88, line 14, leave out 'and' and insert 'to'.—[*Mr. Neil Hamilton.*]

Clause 30

EXTENT OF CHAPTER II

Amendments made: No. 91, in page 24, line 25, after '16,' insert—

'*[Controls on fund-raising for charitable institutions: exclusion of connected companies],* '.

No. 104, in page 24, line 25, leave out '22 to'.

No. 79, in page 24, line 39, leave out '14 and' and insert '13 to'.—[*Mr. Norris.*]

Clause 34

DETERMINATION OF APPLICATION FOR LICENCES

Amendments made: No. 25, in page 27, line 31, leave out '(c)' and insert '(d)'.

No. 26, in page 27, line 43, after 'is' insert 'available and'.

No. 27, in page 27, line 45, at end insert—

'(d) the capacity of the place so specified (if there is only one) or of both or all the places so specified taken together (if there are more than one) is sufficient to provide an operating centre for all the vehicles used under the licence.'.—[*Mr. Norris.*]

3.45 pm

Mr. Derek Fatchett (Leeds, Central): I beg to move amendment No. 21, in page 28, line 14, leave out

'and may assume that those undertakings will be fulfilled'.

Madam Speaker: With this, we may discuss the following amendments: No. 22, in page 28, line 20, leave out

'and may assume that any conditions so attached will not be contravened'.

No. 23, in clause 38, page 36, line 28, at end insert—

'(dd) that during those five years the licence holder has, in the opinion of the authority, at any time operated otherwise than with due regard for the requirements of road safety and grounds (a) to (d) above and (f) below do not apply'.

No. 19, in clause 49, page 46, line 9, leave out

'and may assume that those undertakings will be fulfilled'.

No. 20, in clause 49, page 46, line 27, leave out

'and may assume that those undertakings will be fulfilled'.

Mr. Fatchett: Amendments Nos. 21 and 22 would remove some of the assumptions in the Bill, especially about undertakings given and conditions that may or may not be met. The amendments would make the licensing authorities more able to consider certain issues and to see whether they are pursued.

That is the technical nature of the amendments, but the real reason for the debate is the safety of heavy goods vehicles and coaches, which greatly concerns the general public.

Why this debate in this form at this stage? The answer is easy. It is because safety is a key element of the Bill and a theme which came up time and again in Committee and on Report. It is a question of the balance between various interests.

The Government's definition is that the deregulatory process is stimulated by removing a burden on industry. To be fair, the Government also refer in the Bill to the need for

[Mr. Fatchett]

necessary protection. Our concern throughout has been the need for a balance between the various interests—those interests that are legitimately represented by business and industry and those represented by employees, consumers and the general public.

We would argue that the Government have listened to industry and not to other interest groups with a valuable opinion, which should be listened to, on safety and the general public interest.

We have just heard a series of points of order about the Civil Rights (Disabled Persons) Bill. The Government response to the issues in that Bill has always been to point out the burden to industry. Nothing could illustrate the argument on deregulation better than the Government's response to that Bill. Their short-sighted and limited perspective meant that they talked simply about one range of burdens and one area of interest. We argue that under that legislation and in many other cases broader interests have to be taken into account. Nowhere is that more vividly illustrated than in relation to the Civil Rights (Disabled Persons) Bill, as many people have a direct interest in that legislation.

The role of good government and good administration is to weigh those interests, achieve a balance and ensure that all the voices are heard. As much of the ideology that underpins the Bill shows, the Government are driven by just one of those interests: the industrial interest. They are taking little or no account of the interests of employees, consumers or the general public.

In the context of the safety of heavy goods and commercial vehicles, I believe that a variety of interests need to be taken into account. It is not just the industry itself that should be listened to; the Government should listen to the police, the public, those who travel on buses and those who live in areas that are affected by buses and heavy goods vehicles. We fear that the Government will listen only to the voice of industry and not to these other important voices; and the amendment is designed to tease out the balance that the Government intend to strike, and to include in the Bill a greater commitment to the general points of safety that I have already mentioned.

The bus and heavy goods vehicle industries have faced severe economic competition and suffered to a considerable extent as a result of the recession—in many respects, as a result of Government policy. These are clearly industries that have to deal with great pressure on costs. Our concern is that the Government are giving a wink and a nod to those who may see the Bill as a sign that they may take short cuts with safety and maintenance standards as a way of dealing with the pressure on their costs. We have argued throughout that the Government should have as their first priority not just the industry but the general interests of the public.

There is no great backing for these provisions in any case. They are yet another example of the Government's trying to save a relatively small sum of money without necessarily gaining the support of much of the industry or of other organisations. For instance, *Headlight*, a trade magazine which speaks for the industry and is widely distributed in the industry, has argued that the current legal controls have provided worthwhile benefits in terms of vehicle condition and driver standards. People fear that if the Government reduce these legal and administrative controls they will be giving cowboy operators a sign that standards can be further reduced.

The Police Federation has expressed its alarm at the prospect of continuous licensing—the essence of this part of the Bill—for heavy goods vehicles and buses:

> "Any licence relating to an operator's fleet size, business premises and hours of business granted in perpetuity could severely affect the safety of members of the public and have a detrimental effect on environmental factors."

So the police are unhappy about the proposals embodied in the Bill.

The public have good reason to be genuinely concerned about safety issues. The figures are appalling: in 1992, the latest year for which we have available figures, 742 people died in road accidents involving heavy goods vehicles. HGV accidents are also likely to be more serious than road accidents generally—4 per cent. of people caught up in accidents involving heavy goods vehicles incurred fatal injuries, compared with only 1 per cent. overall. All the evidence, in fact, points to the need for the current system to be maintained or toughened up, not weakened.

The annual report of the licensing authorities shows that there has been a huge increase in disciplinary action taken against vehicle operators, from 742 cases in 1991-92 to 1,255 in 1992-93. In 611 of those cases, the offence was serious enough to result in a licence being taken away. The most common reasons for licences being revoked were poor maintenance, overloading and drivers' hours. The number of HGV drivers' conduct cases referred to the licensing authorities has also increased, from 47,000 to 50,593.

When we dealt with these issues in Committee, my hon. Friends spoke about a number of surveys on the increased pressure on drivers' hours, safety and stress. They made it abundantly clear that the industry will be deregulated at great risk and at a loss to the public of safety standards.

Mr. Peter Bottomley (Eltham): The House will agree with the hon. Gentleman's serious points about the need to reduce stress and to maintain regulations on drivers' hours and on vehicle condition. The hon. Gentleman says that he would not favour the introduction of continuous licensing. How are the two issues linked and why would it not be possible to revoke continuous licences?

Mr. Fatchett: The hon. Gentleman may be well advised to read some of the arguments in Committee when the point was explored in great detail. I have quoted the view of the Police Federation and I certainly maintain that there is substantial symbolism in the Government's action. I warned the Minister at the time—I think that on this issue, if on no other, the general public would be on my side —that the evidence and the image being presented by the Government is that they are prepared to take a risk with safety.

The Police Federation and some people in the industry argue that there is a virtue in continuous licensing, and the Government are making a mistake in appearing to soften the regime. That is essentially what we said in Committee and what we shall be saying in this debate.

As the hon. Member for Eltham (Mr. Bottomley) rightly said, the figures are serious. There has been a series of tragic events about which some of my hon. Friends will speak in relation to their constituencies, and I shall not delay the House by going through specific incidents. However, some of them have clearly shown that the current safety regime is not strong enough. Comments from magistrates, coroners and the police show that they do not wish to see a softening of standards, but would like to see them toughened for goods vehicles and coaches.

By stretching the amendment slightly, one could relate that to the public concern about safety standards for minibuses. There have recently been a number of incidents involving school minibuses. There was an incident at the weekend about which there was a public outcry, and the reaction was that we need tougher safety standards and that there should be legislation to ensure the compulsory fitting of seat belts.

I introduce those issues to show that the Government have got the balance wrong and that public concern on these issues is for greater safety. They wish to see standards improved for their own good and for the good of those who travel by coach or by other forms of regular transport.

There is a strong argument for industry to have the highest possible safety standards. If standards are reduced, the only organisations that will benefit will be those that are prepared to take short cuts to cut costs. The law should be tough on those organisations and sanctions should be severe. The good operator will lose out and the not-so-good and the cowboy will benefit. That is in nobody's interest: our interests should be to maintain or improve standards.

Our amendment would toughen the system and make sure that there was power to investigate what was going on. It would ensure that safety standards are rigorously enforced. That is what the public and good operators in the heavy goods vehicle and coach industries want. For those reasons, I commend the amendments.

Mr. Peter Bottomley: The House and the country will understand that there is a need for operator licensing. For environmental protection, for ensuring that there is a responsible manager, and for other reasons, that system should continue.

The point before the House is whether there is a significant detrimental risk by moving to continuous operator licences. I do not think that there is.

There is a danger that, in arguing about specific cases, which, as the hon. Member for Leeds, Central (Mr. Fatchett) said, might happen in this relatively short debate, we lose sight of how we cut the number of casualties on our roads.

Without wanting in any way to diminish the anguish that is felt by any family affected by a road crash—I often wish that we could refer to road crashes rather than accidents, because they have causes—and without wanting in any way to diminish the importance of taking further measures to reduce the consequences of a crash, I do not think that it is sensible to have this kind of debate without putting on record what was said during the debate on the Local Government etc. (Scotland) Bill last week.

4 pm

Since the Government set the target of cutting the number of deaths and serious injuries on our roads by 30 per cent. by 2000, there has been a 40 per cent. increase in traffic. So the index of traffic has increased from 100 to 140. The number of tragedies involving deaths and serious injuries has been cut by a third. So the index for casualties has gone down from 100 to 70.

Those figures show that, in the past eight years, the number of deaths and serious injuries on our roads has halved in relation to the amount of traffic. That is not a fully fair comparison, because it does not take into account the special needs of the vulnerable road users.

It is clear that when a crash involves a heavy goods vehicle, especially if it is laden, it will be more severe on the people in the vehicle, or those without a vehicle, who are hit by it. It is also clear that when a vehicle comes down a hill and crashes in the town, as happened in one of the very sad incidents of the past year and a half, it has a devastating effect on the people involved.

It is right, if I may say so in the margins of the debate, that people in minibuses should wear seat belts, and that they should be provided by the people who run them, but those issues can take us too far away from other truths that are important. Statistics show that, if I am a passenger in a minibus, I am one third less at risk than I would be as a passenger in an ordinary car. If our debates get people to move from minibuses to cars, we are increasing the risk on present seat belt wearing. It is possible to reduce the risks significantly, but we should be saying that minibuses are good things. We have more of them than other countries. We have the information and we should go on trying to use it.

On heavy goods vehicles, anyone who has had the opportunity of seeing the enforcement agencies at work will know that it is enforcement that matters, by transport managers and by the authorities, and that, of those, enforcement by the transport managers is the most important.

I should like to see further disciplinary action taken against managers whose tachograph records show that their drivers persistently exceed the legal speed limit. There may be difficulty in prosecuting a driver for going above the legal speed limit, because one cannot say where the excess speed took place—under our present law one needs to be able to do that—but the tachograph provides evidence of when drivers persistently exceed the limits.

The same applies to offences over drivers' hours. Transport managers should be held accountable, because that sort of issue matters so much more than whether there is continuous licensing. I do not think that moving to continuous licensing will make a significant difference to firms. Other areas of deregulation make more sense. The ridiculous bureaucracy involved in getting exemptions from the London lorry ban is one of the most stupid things that I have ever seen, but that might be for another occasion.

If the debate is focused on casualty reduction, let us remember why we have the lowest casualty rate on our roads compared to other parts of the motorised world. It is because we focus on the things that matter most. If we left it to the sort of issues that get into the headlines, we would find that we were spending all the money on motorway fog crashes, the minibus type of issue or the unusual coach crash.

We have improved the figures dramatically because of a partnership between the Department of Transport and the Transport Research Laboratory, to which I pay a well-earned tribute. I think that the Government are wrong in privatising it, as Ministers need to have confidence in the advice that they get from people who look at the road environment, the vehicle characteristics and the road user behaviour. I also pay tribute to the parliamentary advisory council on transport safety—which, in so many ways, has helped us to focus on the issues that matter most—to drivers and their representatives, and to the Freight Transport and Road Haulage Associations. They understand what matters; it is they who are buying the newer vehicles, which are safer and provide greater comfort for drivers who spend their professional lives on our roads.

With the help of the European Community, we have contributed to the simplification of regulations governing drivers' hours and rest breaks, but more needs to be done. I feel that the amendments—probing though they may be —do not concentrate on the issues that matter enormously; I hope that the hon. Member for Leeds, Central does not mind my saying so.

Mrs. Alice Mahon (Halifax): I urge the Minister to support amendment No. 21. The Bill contains many irresponsible proposals, but none grieves me more than the proposal to stop requiring operators of vehicles such as buses to reapply for their licences every five years. Under the Bill drivers will, in effect, obtain licences for life. The Government may argue that depots will be open to inspection every five years, and that there will be a requirement to make that public by means of advertising; the truth is, however, that to all intents and purposes the ability of local people to object has been destroyed.

In September last year a tragic accident occurred at Sowerby Bridge, which is in my constituency. A 10-tonne lorry with no brake linings ploughed into a BT van and demolished a newsagent's shop and two terraced houses. The drivers of both vehicles died, and three young mothers and a two-year-old toddler lost their lives. Words cannot describe the sense of loss felt by the people of that small town: the whole town mourned with the friends and relatives of those who had died, and those who witnessed the accident will bear the emotional scars for the rest of their lives.

The inquest revealed that the 10-tonne lorry had no brake linings and had not been serviced for 60 days. The coroner's report urged the Department of Transport to toughen safety inspection procedures. The Minister for Roads and Traffic replied that he would consider the coroner's suggestions, but that it was generally felt that the number of lorries involved in serious accidents was very small indeed.

Only this morning, at 7 am, yet another lorry went out of control at the very same spot. Miraculously, the driver managed to steer the lorry into a wall—it appears that the brakes may have failed—and walked away unharmed. The Minister may say that the number of such accidents is very small, but they seem to be becoming all too common in Sowerby Bridge. I cannot begin to imagine the fear and worry that must have gone through the minds of all who were involved in the previous fatal accident.

I am calling for tighter road safety legislation, not a relaxation of such legislation. My hon. Friend the Member for Leeds, Central (Mr. Fatchett) pointed out—and it is worth repeating—that in 1992 742 people died in road accidents involving heavy goods vehicles. Of all the lorries stopped by the vehicle inspectorate, 20 per cent. were deemed unsafe enough to have an immediate prohibition notice slapped on them. If the Bill is passed it will drive a 12-lane highway through the vehicle inspection system and cowboy operators will be free to put unsafe vehicles on to our roads. All the evidence points to a need to strengthen the current system rather than weakening it.

My hon. Friend was right to draw attention to the annual report of the licensing authorities, which showed a huge increase in disciplinary action against vehicle operations. That figure, too, is worth repeating: it has risen from 742 cases in 1991-92 to 1,255 in 1992-93. That is a very worrying trend. I urge the Government not to ignore that worrying statistic.

As my hon. Friend the Member for Leeds, Central said, many respected institutions such as the Association of District Councils, the Council for the Protection of Rural England and the Police Federation oppose this type of deregulation. Surely any responsible Minister should hesitate before ignoring such experienced and expert opinion.

Since the terrible accident at Sowerby Bridge, there has been yet another frightening accident, this time involving a school bus and a lorry. Ironically, yet again it involved a school bus from Christchurch junior school in Sowerby Bridge. Earlier this month, the school coach was travelling to Whitby when it ran into the back of a lorry on the outskirts of Pickering. Fortunately, the injuries sustained by the nine children and two adults involved were reasonably minor, although the shock and horror of the experience will stay with them for a long time. On hearing about the accident, I contacted the head of the school, who was able to reassure me about the injuries sustained by the children. Nevertheless, the feeling that history was repeating itself was uppermost in all our minds.

I have always supported the fitting of seat belts on school buses, but that accident made me take a long hard look at the issue of children travelling on school buses, not only on trips, but on a daily basis. The wearing of seat belts on school buses must be made compulsory. Only last week we heard of the tragic accident involving children from Keighley who were returning by coach from a camping trip. Two eight-year old cub scouts and a 42-year-old man were killed instantly and others were dreadfully injured.

In the face of such appalling tragedies, I do not see how any Minister can continue to resist the call for legislation making it compulsory for bus operators to fit seat belts. The "Belt up School Kids Campaign" has said that

> "over the past year there has been an average of an accident a week involving school buses, leaving more than 20 children dead and hundreds injured."

Whatever Conservative Members say, that is a dreadful statistic and if we can do anything about it, we have a duty to do so. Those statistics provide all the evidence that the Government need; if they ignore the calls from all sides for the compulsory fitting of seat belts, they will have to accept responsibility for any further accidents and deaths.

If the Government really care about the safety of children being transported to school, a thorough investigation should be conducted into school buses. Urgent legislation is required to stop overcrowding. Every child on a school bus should have a seat. It is ridiculous that three children may have to sit on a seat designed for two, and standing on buses should stop. Perhaps something should also be done about the speed limit for school buses.

Tomorrow, the owners of the lorry which caused the devastation in the Sowerby Bridge accident—Hewston Transport Ltd of Skipton—face charges at Calderdale magistrates court in relation to defective brakes. The Crown Prosecution Service has apparently decided, for whatever reason, not to prosecute. Nevertheless, the managing directors of Hewston Transport Ltd will be in the dock tomorrow and no doubt justice will take its course. In those circumstances, it would be improper for me to comment further, save to say that nothing will bring back the victims of that dreadful tragedy. In their memory, however, we should at least try as legislators to do something to help prevent such dreadful accidents from happening in the future.

I remind the Minister that the deputy coroner, Mark Hinchliffe, said when giving his verdict at the inquest:

> "It all amounts to involuntary but nevertheless unlawful killing and that is my judgment in each of these cases. If the brakes had been properly inspected and checked in the days leading up to this tragedy, these defects would have been obvious."

He could have added that the lives of the lorry driver, Mr. Derek Waterworth, Mr. Peter Scott, Mrs. Ann Crossley and her daughter Karen, Mrs. Beryl Rose and Mrs. Angela Rooke could have been saved. Will the Minister tell us how he thinks that removing the obligation to relicense every vehicle every five years will help to prevent such accidents?

4.15 pm

Mrs. Helen Jackson (Sheffield, Hillsborough): I strongly urge the Government to accept the amendments. Throughout our debates in Committee we kept coming back to the central dilemma posed by the Bill: in what circumstances does the lifting of a burden on business mean placing a burden on the public? That is the core of the Bill. Had the Government accepted our core amendments in Committee—to the effect that the Bill was inappropriate where public safety was concerned—we should not be debating amendment No. 23 today because anything to do with fire, road or environmental safety would have been removed from the Bill and the public would have been protected.

Acting in the public interest is always a restraint on individuals and businesses. For example, we do not drop litter because it is unpleasant for others. It is our responsibility, in the various facets of our work in the House, to set out what the public interest means.

The Prime Minister said that the Bill was necessary. Apparently, Parliament has gone too far in stressing public interest, the standards demanded are too high and, too often, business finds compliance too costly or too much of a burden. In Committee and on Report we have tried and are trying to stop the drive towards anarchy and to set limits in relation to what we believe that the public demand.

Last week, we tried to protect fire safety provisions and today we are arguing for road safety to be protected through the vehicle licensing system. I hope that our amendments will meet with a sympathetic hearing. Our plea is simple: if, in any five-year period, the safety of an operator's vehicles—whether goods vehicles or public service vehicles—is called into question, the operator's licence should be reviewed automatically and carefully. That would cover the whole gamut of the many unsafe road practices that we discussed in Committee.

Excessive driving hours, for example, would be covered. At present, drivers can drive for up to 16 hours a day, or 10 hours in urban areas. Personally, I feel that I need a break from driving after two hours and I believe that that is the responsible way to drive. It is unacceptable not to keep the operators of goods and public service vehicles under strict and careful review to ensure that drivers' hours are strictly limited and not exceeded in any circumstances.

My hon. Friend the Member for Halifax (Mrs. Mahon) made an eloquent speech, and I need not repeat what she said. She stressed that the condition of vehicles could be a major potential cause of crashes if vehicles were not kept up to scratch. Again, the only way to ensure sufficient standards is through careful review, careful enforcement and an insistence that standards are maintained. In this context, my hon. Friend spoke eloquently of the tragic accident at Sowerby Bridge in her constituency.

I shall concentrate on public service vehicle issues, which are covered from clause 40 onwards, especially school buses and seat belts in minibuses. The recent appalling accident in north Yorkshire, which resulted in the deaths of the young cub scouts and their leader, raises with great acuteness yet again the issue of children's safety in minibuses. I accept that travel in buses, minibuses and coaches is probably safer than travel in private vehicles, but that does not reduce the urgency of our insistence in the House today that we should ensure by law that seat belts are fitted in minibuses and that such legislation is enforced. I hope that everyone supports that.

If we agree today that seat belts should be fitted—I hope that speakers on both sides will insist on that—how will such a law be enforced satisfactorily when, as a result of the Bill, the enforcement system is being weakened at every turn? We need stronger methods of enforcing important aspects of vehicle and road safety which we believe are in the public interest. We should not weaken the enforcement system by saying that there is no need for a five-year review and no need to increase staff numbers at vehicle licensing offices. We must ensure that regulations are enforced adequately.

Responsibility for enforcement will fall on the vehicle licensing authority if the Bill is enacted. Our worry, which is shared by members of the Civil and Public Services Association, is that if continuous licensing is introduced it will not be possible, with the current structure of the licensing system, adequately to enforce crucial standards. My hon. Friend the Member for Leeds, Central (Mr. Fatchett) also mentioned the strong representations from the Police Federation, which has said categorically that if continuous licensing is introduced it will not be possible to regulate and adequately to enforce necessary safety standards. Both the key bodies involved in enforcement are saying that we should be careful because safety standards will not be enforceable.

With regard to school buses, there has been a fairly scandalous situation in my constituency with regard to safety. In the large rural area covered by my constituency, a great percentage of children have to travel to school by bus. There have been stories of them being crowded on to buses like cattle and of many having nowhere to sit. Children have frequently been left at bus stops when buses do not turn up on time and drivers do not know the routes around the rural areas. Vehicles are out of date and some do not run on time. All those problems have led to a major campaign in Sheffield to get the law changed to make it unacceptable for three children, especially children of secondary age, to have to share a seat that is made for two. It is quite outrageous that that should happen. The campaign is also aimed—very sensibly—at ensuring that the upgrading of safety standards on school buses is carried out wherever authorities are concerned about it.

In Sheffield, the council has set down a code of practice with which it believes that all bus operators in the area should comply and the campaign is trying to ensure that

[Mrs. Helen Jackson]

that is taken seriously. However, it is not possible to get every private bus company to take the council's code of practice seriously in the light of the Deregulation and Contracting Out Bill. In effect, the Government are telling private bus operators not to worry and to take no notice of busybodies like the council who are interested only in the school kids and do not understand companies' business needs. That is the whole thrust of the Bill and in that climate it is not possible even to get a meeting with the Minister about the code of practice in Sheffield, let alone to get the bus operators to take it seriously.

The current climate of deregulation in the bus and coach industry has led to large numbers of new operators. In 1985-86, 91 per cent. of all public service vehicles were in the public sector and 9 per cent. were in the private sector. In 1992-93, 29 per cent. were in the public sector and 71 per cent. were in the private sector. Conservative Members will say that that is excellent, that their policies are working and how wonderful it is that they have achieved a major shift from public sector transport to private sector transport. However, Labour Members are saying that it is totally irresponsible to consider that shift from public service to private service without having tight safety regulations and enforcement systems in place to ensure that the move is not accompanied by a move away from standards of public safety. All the evidence shows that, since bus deregulation, the standards of vehicles have fallen, standards of safety on school buses have fallen and standards in the movement of people around cities and rural areas on buses have also gone down.

Mr. D. N. Campbell-Savours (Workington): And the bus fleet is older.

Mrs. Jackson: As my hon. Friend points out, the bus fleet is older as well.

To introduce continuous licensing and take away the need for operators to renew their licence every five years, with the accompanying relaxation of operators' safety regulations that will ensue, is irresponsible. It is the wrong time and the wrong place for such a move, which may immensely damage safety standards in the future. As in so many other areas of public responsibility, the so-called watchdog—in this case, the licensing authority—becomes old, under-nourished and toothless until one might just as well call it not a dog, but a mouse. I urge the House to support the amendments.

Mr. Andrew Miller (Ellesmere Port and Neston): First, let me deal with the some of the important points made by the hon. Member for Eltham (Mr. Bottomley), whose knowledge of road traffic matters is well known throughout the House and outside it and whose expertise I acknowledge. In the context of the amendments, however, I urge the hon. Gentleman not to leap to the conclusion that, just because the general trend is towards deregulation—the right direction, as he perceives it—deregulation is needed in the bus and coach industry.

4.30 pm

There is clearly a positive approach to road safety, and there are positive developments in driver education and in the design and build of all vehicles. I suspect that the hon. Gentleman's analysis of the number of accidents per road mile is correct—I do not claim to have the hon. Gentleman's detailed expertise in this matter—but feel that there is a great danger in leaping to the conclusion that he has reached on the basis of that trend alone.

I urge hon. Members on both sides of the House to take up the hon. Gentleman's point about language. For example, what are called road traffic accidents are usually not road traffic accidents. I have in mind some of the appalling cases with which we have to deal in our constituencies—in particular, the case of Mrs. Burgess, who had to initiate a private prosecution following the death of her husband, who was hit by a drunken driver. It is outrageous that such an incident should be called a road traffic accident; it was not. In the end, the courts agreed with Mrs. Burgess. Bearing in mind the case of ex parte Chaudhry, hon. Members on both sides of the House should consider carefully the law governing prosecutions that are related to death by driving. There are clearly loopholes in the system and the House should examine them.

To take up another of the hon. Gentleman's arguments, I believe that, given the value of the work undertaken by the Transport Research Laboratory, it would be an enormous mistake to risk changing its management through privatisation. There are structural reasons why it should remain linked directly to the Government of the day. There are also organisational reasons that reflect the work that is being undertaken by those who are employed there: if there is uncertainty, that work will suffer.

Mr. Peter Bottomley: The critical point is that civil servants in the Department of Transport will tend to change their jobs every two, four or six years. There must be continuity of knowledge so that it is understood what questions should be asked and what potential answers need to be tested. Those are critical factors given the nature of the research that is undertaken. I do not doubt that competition in research is worth while. I do not doubt either the motives of those in the Department of Transport who advise Ministers. But I do doubt whether they can direct the research in the way that the laboratory and some universities have managed to achieve. The laboratory has achieved that direction because of its long-term expertise; it, and some universities, have driven forward our knowledge, which we can then apply.

Mr. Miller: On occasions there is 100 per cent. agreement across the Floor of the House. I agree entirely with the hon. Gentleman. The same argument applies to several other Government research laboratories. It would be inappropriate, of course, to follow that road.

The debate is about the signals that we send to the public, who are anxious that we act to mitigate the risks that they face day by day, especially given the incident that was referred to by my hon. Friend the Member for Halifax (Mrs. Mahon). That example and many others illustrate the need for the House to examine carefully the way in which the various mechanisms work. Removing the regular relicensing process, an MOT-style process in respect of which operators face positive challenges, and implementing a more liberal and continuous process will not send the right signals to the public.

The Minister failed to demonstrate in Committee that a continuous system had any worthwhile precedents in other areas of road traffic legislation. The analogy of the MOT-style process is important. Can we imagine the Minister taking the next logical step and saying that, in future, MOTs will be issued on a continuous licensing basis? That may be taking the Minister's argument to extremes, but it is worth considering the analogy. I urge the House, on the basis of the consensus on some aspects of road traffic legislation, to consider most carefully the points that were made in Committee and to support the amendment.

The Minister for Transport in London (Mr. Steve Norris): It is one of the more tedious functions of someone who stands at this post to remind the House what the amendments are actually about. I do not suppose that I should delay the House for more than about 45 seconds discussing them as none [illegible] the Opposition speeches went anywhere near the amendments as they are drafted—

Mr. Deputy Speaker (Mr. Michael Morris): Order. That might be the Minister's judgment, but I regard the amendments as entirely in order and I would be surprised if the Minister did not wish to respond to them.

Mr. Norris: As I heard myself making those remarks, Mr. Deputy Speaker, I realised what you would say to me —and you did, indeed, say it. I consider myself duly admonished. Of course every word was in order. It was merely my lack of intellectual capacity that prevented me from making the connection as subtly as you did; I congratulate you on that.

To satisfy my own feeble intelligence, perhaps I should make it clear that the amendments would, in my view, add a form of words to the Bill that is already taken care of in the Bill as it stands. If an undertaking is required by the licensing authority in relation to an operator, a failure to adhere to that undertaking will cause the licensing authority to take disciplinary action. That is exactly as I am sure the House would expect. As regards the substance of the amendment, I have no doubt that the House should reject it. I am sure that the hon. Member for Leeds, Central (Mr. Fatchett) intended the amendment to be a probing amendment.

On the more general issues, may I in a sense take up where the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) left off? She said—and she was absolutely right —that the nub of the debate was the nexus between safety and regulation. Throughout the passage of the Bill, it seems that the Opposition have quite deliberately—and I give them credit for that—confused the issues of safety and regulation, by assuming, for example, that deregulating automatically compromises safety.

The hon. Member for Ellesmere Port and Neston (Mr. Miller) referred to the Bill as introducing a "more liberal" regime. However, that is not what the Bill does. The Bill does not by one iota affect the power of a licensing authority, if it encounters conduct—for example, by a heavy goods vehicle operator—which is inconsistent with the proper standards required of that operator, to take that operator's vehicle off the road straight away, bring legal action against that operator, including criminal charges if necessary, and cause that offence to cease.

The hon. Member for Halifax (Mrs. Mahon) spoke about tragic events in her constituency, including the accident at Sowerby Bridge. I have every sympathy with those of her constituents who were affected by that accident and those who were tragically involved in it and, indeed, with those who were involved in the other incidents that she mentioned. I have every sympathy with the hon. Lady's desire to use the opportunity that she had today to voice her worries about a variety of issues. However, she must understand, because it is fundamental to the Bill, that nothing in the proposals reduces, dilutes or makes more liberal in any respect the powers of the licensing authority to come down as hard as necessary on operators who do not maintain their vehicles to a proper standard or who in any other way fail to operate in accordance with their legal obligation.

Mrs. Mahon *rose—*

Mr. Norris: Let me make one point clear before I give way to the hon. Lady. She and other Opposition Members drew the analogy between continuous licensing of operators and operators' premises and the idea of an MOT test that lasted indefinitely. That latter proposition is ludicrous: she knows it; the House knows it; and I do not think that it need detain us for a second. It is not what is proposed in the Bill.

The Bill says, straightforwardly, that operators shall comply with all the undertakings that the licensing authority requires them to give; and that, having done so, if they are regarded as fit and proper—if they show all the appropriate qualifications that are required of operators —they shall be issued with a licence. When they do that, they will join the ranks of the holders of licences. About 14,000 licences were given or renewed in 1993. Of that number, about 500 applications were deemed worthy of further investigation by the licensing authority and a very small number—speaking from memory, about 225—were refused by the licensing authority. The purpose of the Bill is simply to allow—

Mr. Campbell-Savours: I was not a member of the Committee, but I have an historic interest in the sector. Does what the Minister is saying mean that Ministers expect a similar number of applications to be made successfully, perhaps by third parties, that lead to the termination of licences? The Minister says that another process will operate. Do I presume that the effect of that process will be precisely the same—apart from anything else that is going on in the marketplace?

Mr. Norris: Yes. In so far as I understand the hon. Gentleman's question, I can assure him that we expect there to be as many objections from members of the public to the grant of licences and as many concerns about environmental aspects of operators' centres as there are at present, and just as much activity to control poorly maintained vehicles. The one change that we are introducing is the removal of the necessity to go through a completely meaningless form of paperwork in respect of 95 per cent. of applications for renewed licences. That is the key.

Mrs. Mahon *rose—*

Mr. Campbell-Savours *rose—*

Mr. Norris: I give way to the hon. Member for Halifax.

Mrs. Mahon: I thank the Minister for his words about the victims at Sowerby Bridge, but can he tell us why he ignores the advice of the Police Federation, which is alarmed at the prospect of licences for life? It has said:

> "Any licence relating to an operator's fleet size, business premises and hours of business granted in perpetuity could severely affect the safety of members of the public and have a detrimental effect on environmental factors."

Why does the Minister ignore such expert advice?

Mr. Norris: The hon. Lady should have been in our Committee. On reconsideration, it is better that she was not in the Committee—she knows what Bill Committees are like. None the less, had she read *Hansard*, she would know that we made it clear in Committee that the Police Federation is not usually consulted on matters of policy. On policy matters, the Association of Chief Police Officers of England, Wales and Northern Ireland speaks for the police service. What the Police Federation said was true, but its statement would be relevant to the Bill only if the situation that it described was envisaged in the legislation—and it was not.

I am sure that, aside from the good sense made in a great many of the observations—

Mr. Campbell-Savours rose—

Mr. Norris: May I finish this argument? Notwithstanding the good sense of a number of hon. Members, especially Opposition Members, about matters which were not directly related to operator licences—anxieties about seat belts in coaches or minibuses and so on—which are for another time, the amendments should be rejected. I am sure that the principle of continuous licensing in no sense compromises the safety of passengers. I give way for the last time because we are reaching the end of our time.

Mr. Campbell-Savours: Does the Minister accept the proposition that if an operator knows that he has to reapply for a licence, he is more likely to take action to clear up any problems for fear that he may not otherwise receive that licence, whereas under the system that the Minister is introducing that fear will be removed?

Mr. Norris: I hope that the hon. Gentleman will allow me to say that that is not the case. We discussed those matters on Second Reading and in Committee. I can assure him that that fear is unfounded.

4.45 pm

Mr. Fatchett: I congratulate my hon. Friends on the way in which they mentioned a number of important issues in the debate. On some of the issues which the Minister described as not directly related to the amendment but which are none the less in order, I hope that the Minister listened to the points made by my hon. Friends the Members for Halifax (Mrs. Mahon) and for Sheffield, Hillsborough (Mrs. Jackson) and by the hon. Member for Eltham (Mr. Bottomley), especially in relation to the compulsory wearing of seat belts in minibuses.

The key difference between the two sides on this issue relates to the 5 per cent. of operators about whom the Minister spoke in terms of continuous licensing. My hon. Friends and I still feel that making life difficult for the 5 per cent. is worth while in safety terms. The 95 per cent. of operators who get through the system will share that view. They will recognise that there is always a danger that the 5 per cent.—often the cowboys in the industry—will be able to get away with a softer touch in future. That is unacceptable in terms of safety standards.

My hon. Friends also hold the view—as do I—that the existing system of continuous licensing gives a clear indication to the industry that the Government wish to enforce a set of standards. The dropping of the continuous licensing system gives another indication to those cowboys in the industry that it might now be possible to have a more relaxed or liberal view of safety standards.

That is why, in Committee and on the Floor of the House, we have objected to the provision to withdraw the continuous licensing proposals. We feel that the current regime makes sense and we want it to continue. That is why I ask my hon. Friends to support the amendments.

The Government have not answered all our worries about safety. As the hon. Member for Eltham was almost saying, the industry needs tight regulation to ensure that safety standards are fully maintained. The signals made by the Government will not be acceptable to the public. I therefore ask my hon. Friends to support me in the Lobby and vote for amendment No. 21.

Question put, That the amendment be made:—

The House divided: Ayes 179, Noes 250.

Division No. 251] **[4.48 pm**

AYES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beith, Rt Hon A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Berry, Roger
Blair, Tony
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clarke, Eric *(Midlothian)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Enright, Derek
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Foulkes, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Go[illegible] Mildred
Gran[illegible]mie *(Tottenham)*
Griffiths[illegible]el *(Edinburgh S)*
Griffiths, [illegible] *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Home Robertson, John
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kinnock, Rt Hon Neil *(Islwyn)*
Lewis, Terry
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry

Maclennan, Robert
McMaster, Gordon
MacShane, Denis
Madden, Max
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pickthall, Colin
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Reid, Dr John
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Walker, Rt Hon Sir Harold
Wareing, Robert N
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Peter Kilfoyle.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Bendall, Vivian
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moss, Malcolm
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John

Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Timothy Kirkhope.

Question accordingly negatived.

Amendments made: No. 28, in page 28, line 21, at end insert—

'( ) In considering whether subsection (3)(c) or (d) of this section will apply in relation to a licence, the licensing authority may take into account (if such be the case) that any proposed operating centre of the applicant would be used—

(a) as an operating centre of the holders of other operators' licences as well as of the applicant; or

(b) by the applicant or by other persons for purposes other than keeping vehicles used under the licence.'.

No. 29, in page 29, line 13, leave out from 'application' to

'already' and insert 'was made, that place was'.

No. 30, in page 29, line 15, after 'licence' insert

' and had been so specified for a prescribed period'.

No. 31, in page 29, leave out line 22 and insert—

'(5A) Subsection (5) of this section does not apply in relation to any place that, at the time the application is determined by the licensing authority, is specified in an operator's licence as mentioned in paragraph (a) of that subsection, and in that paragraph-'.

No. 32, in page 29, line 25, leave out from beginning to 'specified' in line 26 and insert—

'(b) references to a place having been specified in an operator's licence do not include a place having been'. —[*Mr. Norris.*]

Clause 37

VARIATION OF LICENCES

Amendments made: No. 33, in page 35, line 34, leave out from 'application' to

'already' in line 35 and insert 'was made, the place in question was'.

No. 34, in page 35, line 37, after 'licence' insert

' and had been so specified for a prescribed period'.

No. 35, in page 35, leave out line 46 and insert—

'(8) Subsection (7) of this section does not apply in relation to any place that, at the time the application is determined by the licensing authority, is specified in an operator's licence as mentioned in paragraph (a) of that subsection, and in that paragraph-'.

No. 36, in page 36, leave out lines 1 and 2 and insert—

'(b) references to a place having been specified in an operator's licence do not include a place having been'. — [*Mr. Norris.*]

Schedule 10

SCHEDULE TO BE INSERTED IN THE TRANSPORT ACT 1968 AFTER SCHEDULE 8.

Amendment made: No. 40, in page 91, line 22, at end insert

'so far as relating to the suitability of any place specified in the licence for use as an operating centre of the licence-holder;'.— [*Mr. Norris.*]

Clause 45

OPERATORS' LICENCES NOT TO BE TRANSFERABLE ETC.

Amendment made: No. 37, in page 44, line 15, after 'purposes' insert ', for such period'.—[*Mr. Norris.*]

Clause 46

FEES

Amendment made: No. 38, in page 45, line 33, at end insert—

'( ) Where such a direction is given in respect of an operator's licence—

(a) any condition attached to the licence under section 66 of this Act shall be treated as having been of no effect during the period beginning with the time the licence terminated by virtue of subsection (3) or (4) of this section and ending with the time the direction comes into force; and

(b) subject to paragraph (a) of this subsection, the licensing authority may vary any such condition as it applies in relation to events occurring before the direction comes into force.'.—[*Mr. Norris.*]

Schedule 11

GOODS VEHICLE OPERATOR LICENSING: MINOR AND CONSEQUENTIAL AMENDMENTS

Amendment made: No. 41, in page 95, leave out lines 24 and 25.—[*Mr. Norris.*]

Clause 56

FEES

Amendment made: No. 39, in page 50, line 33, at end insert—

'(2F) Where the traffic commissioner has given a direction under subsection (2E) above in respect of a PSV operator's licence in a case where subsection (2A) or (2C) above has applied, it shall not for the purposes of section 20(1) or (2) of this Act be regarded as having been practicable for the licence-holder to—

(a) report any matter to the Secretary of State; or

(b) give him notice of any alteration,

during the period beginning with the time mentioned in subsection (2A) or (2C) and ending when the direction came into force.'.—[*Mr. Norris.*]

New clause 4

BURDENS IMPOSED BY PUBLIC BODIES

'.—(1) If, with respect to any action taken by a public body which imposes a burden on any person, a Minister of the Crown is of the opinion that—

(a) the effect of such action is such as to impose, or authorise, or require the imposition of a burden affecting that person in the carrying on of any trade, business, profession or otherwise; and

(b) the burden so imposed is disproportionate to the end or purpose which is sought to be achieved; and

(c) it would be possible without removing any necessary protection to remove or reduce the burden or, as the case may be, the authorisation or requirement by virtue of which the burden may be imposed,

he may by order require the body to act to remove, or as the case may be, reduce the burden.

(2) The reference in subsection (1)(c) above to reducing the authorisation or requirement by virtue of which a burden may be imposed includes a reference to shortening any period of time within which the burden may be so imposed.

(3) An order under subsection (1)—

(a) shall, if it requires the reduction of a burden, specify the manner and extent thereof,

(b) may include such incidental, consequential and transitional provisions and savings as appear to the Minister to be appropriate,

(c) may make different provisions for different cases or descriptions of case, including different provisions for different areas,

(d) shall be made by statutory instrument, and

(e) shall be laid before Parliament after it is made.

(4) A public body in respect of the action of which an order has been made shall comply with the terms thereof within the period of 28 days beginning with the date on which it was made.

(5) It shall be a defence in any proceedings in any court or before any tribunal that a person has failed to comply with any burden to which subsection (1) above applies to prove that—

(a) the failure to comply occurred or first occurred after the expiry of the period set out in subsection (4) above, and

(b) if the burden had been removed or reduced in accordance with the requirement of the Minister under subsection (1) above there would have been no failure to comply.

(6) In this section—

"Minister of the Crown" and "burden" shall have the same meaning as in Chapter I of Part I and "Minister" shall be construed accordingly; and

"public body" means a body established by or under any enactment, to which the Minister has power to give directions regarding the discharge of its responsibilities, to the controlling organ of which the Minister makes nominations, or the income of which includes money provided by Parliament, but excludes any local authority, fire authority, police authority or civil defence authority.'.—*[Mr. Meacher.]*

Brought up, and read the First time.

Mr. Michael Meacher (Oldham, West): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient also to take new clause 14—*Burdens imposed by public bodies (No. 2)*—

'.—(1) Where a person carrying on a trade or business—

(a) is aggrieved by any action lawfully taken on proposed to be taken by a public body ("the action") which imposes, or may reasonably be expected to impose, a burden on the trade or business, and

(b) is of the opinion that any burden so imposed is greater than is reasonably necessary to achieve the intended purpose of the action,

he may apply to a magistrates' court for a declaration under subsection (5) below.

(2) An application under subsection (1) above shall be made—

(a) by the person carrying on the trade or business or any other person duly authorised by him in that respect,

(b) in the prescribed form and manner, and

(c) within a prescribed period beginning with the date on which the person aggrieved became aware of the action or was deemed under any statutory provision to have been notified of it.

(3) The Secretary of State shall prescribe how any date required for the purposes of subsection (2)(c) above is to be determined, and different bases of determination may be prescribed for different circumstances.

(4) A magistrates' court shall consider an application for a declaration under subsection (1) above within the period of seven days (excluding Saturdays, Sundays and public holidays) beginning with the date on which it is made.

(5) A magistrates' court considering an application under subsection (1) above shall—

(a) if it is satisfied that the action imposes a burden on the trade or business greater than is reasonably necessary to achieve the intended purpose of the action, make the declaration as sought with such variation, and on such conditions as the court shall think proper in all the circumstances, and

(b) if it is not so satisfied, refuse to make the declaration.

(6) In reaching a decision on whether to make a declaration under subsection (5) above the court shall, without prejudice to the generality of sub-paragraph (a) of that subsection, have particular regard to—

(a) whether other action which imposes a lesser burden on the trade or business might reasonably be expected to achieve the intended purpose of the action complained of,

(b) the extent of any risk to life, health or property of making, or refusing to make, such a declaration,

(c) the extent to which the granting of a declaration may incidentally cause a burden to be imposed on any other person carrying on a trade or business, or cause an existing burden on any such person to be increased, and

(d) the likely effect on the commercial prospects of the trade or business of refusing to make a declaration.

(7) The effect of making a declaration under subsection (5) above shall be that—

(a) if the action has taken effect, that effect shall be suspended forthwith, but without prejudice to anything done before it was suspended or in consequence of anything so done, and

(b) if the action has not taken effect, it shall not take effect other than in accordance with subsection (10) below.

(8) A declaration under subsection (5) above shall cease to have effect—

(a) at the end of a prescribed period beginning with the date on which it is made, or

(b) at the end of any longer period provided for in any statutory provision for an appeal against the action,

unless subsection (9) below applies.

(9)(a) If—

(i) within the period provided for in any statutory provision for an appeal against the action, such an appeal is properly made in accordance with a statutory provision, or

(ii) an application for judicial review of the action is properly made,

subsection (8) shall not apply and a declaration under subsection (5) above shall cease to have effect when the appeal or, as the case may be, the application is finally determined or is withdrawn or abandoned, whichever first occurs, unless both an appeal and an application have been made.

(b) The Secretary of State shall prescribe when and in what circumstances a declaration under subsection (5) above shall cease to have effect if both an appeal as referred to in sub-paragraph (a)(i) above and an application for judicial review as referred to in sub-paragraph (a)(ii) above are properly made.

(10) The effect of a declaration under subsection (5) above ceasing to have effect shall be—

(a) if the declaration ceases to have effect in accordance with the provisions of subsection (8) above, the action shall (or as the case may be, shall again) come into effect; and

(b) if the declaration ceases to have effect in accordance with the provisions of subsection (9) above, the action shall (or as the case may be shall again) come into effect, if and so far as is consistent with the determination (if any) of the appeal or the judgement (if any) of the court on the application for judicial review of the action.

(11) The Secretary of State shall, by order made by statutory instrument, prescribe—

(a) anything which under this section is to be prescribed,

(b) the procedure to be followed by magistrates' courts on applications for declarations under this section, and

(c) any incidental, consequential and supplementary provisions which are, in the opinion of the Secretary of State, necessary to give effect to the provisions of this section.

(12) In this section—

"action" means any order, decision, instruction, or requirement (however described)—

(a) with which there is a statutory requirement to comply, or

(b) in respect of which it is an offence under any statutory provision to fail to comply;

"other action" includes delaying the taking of the action;

"public body" does not include any court or tribunal constituted under any statutory provision but, subject to that, means a body established by or under any enactment to which the Minister has power to give directions regarding the discharge of its responsibilities, to the controlling organ of which the Minister makes nominations, or the income of which includes money provided by Parliament.

"statutory provision" means any provision in any Act of Parliament or any statutory instrument and "statutory requirement" shall be construed accordingly.'.

Mr. Meacher: The purpose of the new clause is to provide a procedure for removing the burdens imposed by the Government's huge proliferation of quangos. It turns out that the new clause is timely, because yesterday the

[Mr. Meacher]

most exhaustive and authoritative survey of quangos was published by an independent organisation called Democratic Audit of the UK. It identified no fewer than 5,500 executive quangos, which is the major part of its total quango count of more than 6,700 appointed bodies.

It shows that public spending on executive quangos—I shall concentrate on those today—has increased by 24 per cent. in real terms since 1979 when Mrs. Thatcher came to power pledging to reduce both their number and their cost. Altogether, it found that quangos now control nearly £50 billion of all public expenditure and yet they are totally unaccountable to the taxpayers who provide the money.

All of that spending is under the control of an appointed "New Magistracy"—the name given to the business-dominated elite estimated by the report to number about 73,000 quangocrats put there by ministerial appointment. That is nearly three times the total number of all elected councillors, which is about 25,000. That, I submit, is the democrat deficit at the heart of Britain today.

Those executive quangos have usurped major local authority powers for the provision of key local services such as housing, schools, further education, employment training and urban development, and yet their accountability is minimal.

Mr. Anthony Steen (South Hams): I am interested in the hon. Gentleman's speech. Is he saying that he does not like quangos or that there are too many people in the public sector? Would he, in effect, put those people into Government or would he cut the numbers, because that is the problem?

Mr. Meacher: I am grateful to the hon. Gentleman for anticipating my speech. I am in favour of both of those. I am in favour of a substantial reduction in the number of quangos and—this is the real point to which I was just coming—there is the question of accountability. Only about 14 per cent. of the quangos are subject to investigation by any ombudsman. Only one third are subject to public audit. Only 2 per cent. observe the Government's new open government code of practice. Less than half publish annual reports. Only 7 per cent. are obliged to hold at least one public meeting annually. Only one third make their minutes available, none let people see their policy documents and less than half keep a public register of interests.

All of that is a contrast to elected local authorities. Given that huge gap in proper public scrutiny, it is hardly surprising that the process is generating a steady stream of financial scandals, a waste of public resources, burdens on public life and political nepotism. That is why the Public Accounts Committee found in its recent report that standards of conduct in public business were at their lowest ebb since the Northcote-Trevelyan reform of the 1850s buried the old patronage state. However, the Government are fast creating a new patronage state that is as in need of democratic attention as Old Sarum in the 18th century.

The burdens imposed by the partisan expansion of the quango state are huge and growing. For example—I could give many examples—the Public Accounts Committee discovered that the Welsh Development Agency squandered £2 million of public money with unauthorised golden handshakes, paid the private motoring bills of senior staff and, through its poor personnel management, hired a man with convictions for fraud as its marketing director.

The Public Accounts Committee also found that West Midlands regional health authority agreed that the director of regionally managed services should be sacked, but in fact he was made redundant and got a lump sum of £81,000 and a pension. The regional health authority was found to have wasted £10 million in huge pay-outs to failed business consultants and officials at the expense of patient care. All that information is in the PAC report. The authority's chairman, Sir James Ackers, who resigned, was nevertheless given a £10,000 golden handshake by the Secretary of State for Health.

Wessex regional health authority squandered £20 million on an information system and there were serious conflicts of interest between it and the consultants who had recommended the system. The training and enterprise councils' Field system computer cost £48 million, but it was not assessed properly and proved to be a waste of money. The TECs spent a further £11 million on consultants hired in what the report describes as a haphazard manner.

Many of those examples are known to the House and new ones occur almost daily. I shall cite one or two more. The Midlands development corporation, which is packed full of estate agents and developers, was criticised last month for scheduling land owned by friends for development. The £30,000-a-year chairman of the Development Board for Rural Wales, Mr. Glyn Davies, was forced to stand down a week ago when the PAC found that 20 per cent. of tenants were granted homes according to rules that were not made public, that homes had secretly been allocated to the board's housing officer and his ex-wife and that irregular payments had been made to directors under a car leasing scheme.

In addition, there is an almost daily stream of appointments scandals. Last week, two former Tory Members of Parliament were appointed to the Government's deregulation panel, even though the Bill is still before the House. A little before that, a Tory businessman was appointed to run the Schools Funding Agency—and so on and so forth.

There is widespread revulsion at the explosion of croneyism and patronage. There is also a widespread feeling that quangos, having initially been sold as a spur to efficiency and a check on public bureaucracy, are layers of unwanted bureaucracy themselves in many cases. Developers now want to be close to the community and do not want a quango in the way. I am aware of one example in the east Thames corridor—the North Kent Forum now brings together the Department of the Environment, local councils and the Groundwork Trust with industry representatives. Such forums and partnerships are springing up in many places. They are local and they are funded by a balance between all the participants.

In contrast, quangos are another bureaucratic structure, which must be serviced and often costs too much, even in the absence of fraud and corruption. That is why we tabled the new clause, as a short-term measure to enable such burdens to be removed more readily. I would be the first to accept that it is a very limited measure. Our long-term strategy goes a great deal further. As they are constituted, quangos are virtually impervious to democratic influence. By nature, they are secretive and they are packed with Tory nomenclatures, like a one-party state.

5.15 pm

Where quangos have usurped powers that should be exercised only by elected bodies, we shall abolish them and restore their functions to elected regional or unitary authorities. In all other cases, if they are retained, we shall subject them to supervision by the ombudsman and to the same surcharge disciplines as local authorities. We shall provide them with a more balanced membership and require an open-government culture and freedom of information in all their dealings.

In the short term, and in the context of the Bill, our new clause would minimise the more extreme and flagrant abuses, so I commend it to the House.

Mr. John Sykes (Scarborough): I shall speak to new clause 14, which stands in my name and that of my hon. Friend the Member for Chingford (Mr. Duncan Smith). Its object is to provide a speedy and effective means of challenging orders and decisions made by public officials, which are perceived to be disproportionate or unreasonable, could harm business and are not justified by any imminent danger to life or health.

The clause is the device that would continue and amplify deregulation. It is the device that would firmly establish the Deregulation and Contracting Out Bill, so that it rests on two pillars of strength. The first is the parliamentary pillar by which we in Westminster dispose of overburdensome regulations—the so-called Henry VIII clause. The second pillar is my new clause, whereby we in Westminster would give back a little power—a little subsidiarity perhaps—to the ordinary man in the street by allowing him to appeal to a magistrate to overturn an unfair order.

I call this clause or second pillar the Henry VII clause—he was the father of Henry VIII and the king who established the widespread use of administrative magistrates as a means of achieving justice and peace throughout his realm. Such a mechanism would be entirely in keeping with the Department of Trade and Industry report commissioned by the President of the Board of Trade and sent to the Prime Minister last year. The report stated:

> "There needs to be an ombudsman who could act as a point of contact for traders and investigate cases of over-zealous enforcement."

Mrs. Helen Jackson: I read the new clause carefully and I have a question for the hon. Gentleman. If a local authority in his constituency decided that hotels used for bed-and-breakfast clients had to comply with stricter fire and safety regulations, and one of the owners said, "I am sorry but that will restrict my business, it is far too expensive for me to implement, I shall appeal to the Government because it is a burden," which side would the hon. Gentleman be on?

Mr. Sykes: I am grateful to the hon. Lady for asking me that question. One can always rely on her to open her mouth wide enough to put both feet in it. She was not present for the debate that we had on this subject in Standing Committee F on Thursday 28 April—she was in South Africa—but before that she had spent months and months complaining about over-zealous regulation. I beg her to listen to this debate with her ears, not with her mouth. I said right at the beginning that we are concerned here with over-zealous enforcement of regulations only.

Mrs. Jackson *rose—*

Mr. Sykes: I may give way to the hon. Lady later, but I should like to make a little progress first.

Over-zealous enforcement of regulations is all I ask the House to concern itself with this afternoon. Let us consider the almost unlimited powers enjoyed by public officials, some of them fresh out of college. There are vast regiments of them. They have a right of entry to our premises and each of them is armed to the teeth with 1,000 different regulations, each regulation bristling with 1,000 dire and prohibitive consequences of the non-compliance with the will of the enforcer.

Consider the case of the Regal rest home in North Marine road, Scarborough. On 3 February this year, Ian Dewar, the proprietor, received a letter from S. Peacock, principal officer of the social services registration and inspection unit. Writing on behalf of North Yorkshire county council, S. Peacock called for two full-time members of staff to be present during the day, and one at night, together with a competent person to be on call in the building. The letter concluded ominously:

> "All homes not meeting the staffing standards will be required to do so".

Mr. Dewar sent me a letter as follows:

> "As owners of this care home, we are properly registered in accordance with current social services guidelines . . . Although we are registered for eight residents, we only have six because social services disapprove of double rooms. Now we are told by social services that we must have two staff on 24 hours a day, including waking night staff.
>
> Under current social services policy, residents who become physically dependent are moved into nursing homes or hospitals. Therefore, this care home cannot have physically dependent residents. We have six residents who are not physically dependent and I seriously question this imposition. To implement these staffing levels would inflict a wages bill that would be financially impossible for us to meet. It would bankrupt us within six months. We would lose everything we own in the process. We would end up homeless and left with tens of thousands of pounds worth of debt that we would not be able to pay back in our lifetime . . . In addition, there would be no home for our residents to go to."

Mr. Dewar says that his staff would be made redundant because the business would be unsaleable and concludes:

> "As one of the many small homes who care for the elderly of this county, I am asking for your help in this matter."

Help was at hand, in the shape of the hon. Member for Scarborough. North Yorkshire county council has now promised to reconsider the matter in the light of my representations. It should not, however, be for the Member of Parliament to deal with such things.

It was therefore with some astonishment that I began to read Labour's new clause 4, entitled "Burdens imposed on public bodies". At first, I thought that the road to Damascus had been widened; redemption was at hand—the little Johnny-come-latelys had finally come out of the closet. Could it be that Labour had tabled a new clause that would actually help the Regal rest home in my constituency—a capitalist institution? I studied the names on the amendment paper to see whether I could identify a leadership challenge. Certainly, there were some guns there—not howitzer league, but big guns nevertheless. They were the same guns, coincidentally, as sat in Room 9 every Tuesday and Thursday in our Standing Committee.

Those big guns were flanked by the pea-shooters among their Back Benchers. Week in, week out they shot off whatever meagre ammunition they had received from Walworth road—they were against this, they were against that, they were against the other. They agreed with us on

[Mr. Sykes]

one thing—they were against over-zealous regulators, and that was progress indeed. So Conservatives looked forward to hearing how Labour would deal with them.

We waited and waited, and then we waited some more. When we had become bored with waiting, we felt that the Opposition must be embarrassed. So we thought of putting a suggestion box in the Committee Corridor. Finally, however, the grim truth emerged. Among Opposition Members, cluelessness had scaled new heights. There was not an idea between them—until, that is, I read the first few lines of new clause 4, which establishes an appeal procedure. Wonderful, I thought, although not perfect. Labour's clause allows an appeal only to a Minister of the Crown. I could not quite see D.P.Barry and Company, tripe manufacturers, ringing up the Secretary of State just because some nosey environmental health officer would not allow the company to boil pigs' trotters in a particular pan.

I want an appeal procedure via the magistrates courts because they are more user-friendly, more widely understood and not even slightly intimidating. In the name of consensus and of progress, however, I did not want to quarrel with the big guns who tabled the new clause—until I reached subsection (6) where, to my despair, I found that Labour's big guns had spiked their own new clause. How? The subsection provides that anything done by a local authority is excluded from the appeals process.

Why? Was this because the Opposition fondly imagined that their municipal cousins in Labour-controlled authorities were genetically incapable of taking unreasonable decisions? Perhaps they have never heard of Manchester, which owes nearly as much as does El Salvador. Perhaps they prefer to overlook Birmingham which, in 10 years, has accumulated a debt three times the size of that of Albania, and which sent two officers to Belgium to buy six fig trees at a cost of £50,000. That same council sent two officers from technical services to Amsterdam, not for tulips or fig trees, but to watch people walking through revolving doors. Of course, Opposition Members know all about revolving doors—if they do not now, then by the time they have had to vote for a new leader, they will all be experts.

Perhaps the less said about Sheffield, the better—a city with the dubious distinction of being a training ground for Labour Members of Parliament. That city held the most expensive school sports day in history, the student games. It managed to frighten away Hamley, the famous toy shop, because the rates in Sheffield were higher than they were in Regent street. The list of examples is as unending as the shame that should attach itself to those Labour Members who have perversely sought to shield the very worst practitioners of the over-zealous application of regulations.

My hon. Friend the Member for Chingford and I therefore felt compelled to table new clause 14 which, unlike Labour's, does not masquerade as something it is not—the socialist extending the hand of friendship to the business community, accompanied as it is by a smile resembling the silver plate on a coffin. The fact is that 97 per cent. of all businesses in this country employ fewer than 20 people. Our clause is for them.

It is for the Minister, whom many regard as the spark plug of our deregulation initiative, to talk to the President of the Board of Trade, whom many regard as the vital piston in the deregulatory engine. For it lies within the power of the President to come to the rescue, to stand shoulder to shoulder with shopkeepers, farmers and small businessmen. He must make an appeal mechanism a component of the Bill, and he does not need the permission of Jacques Delors to do so. He could do it tomorrow, or, even better, tonight.

What I propose does not require detailed negotiations with our Community partners, upon whom it has suddenly dawned that Britain's deregulatory approach has been the right one all along.

Mr. Steen: Has my hon. Friend found a device to enable small firms or people who are aggrieved by an over-zealous attitude to regulations to go somewhere local for an immediate conclusion to their dispute? Is it really that simple?

Mr. Sykes: A good question. The beauty of my new clause is that it is simplicity itself. It is user-friendly and everyone understands it. Unlike so many appeals procedures, this is not one of byzantine complexity. It is a simple measure that the world and, I hope, the Minister and the President of the Board of Trade will understand.

The debate takes place during a week when competitiveness in business has been given its rightful prominence. New clause 14 will underpin a new British competitive age by making the over-zealous official a thing of the past. It will be a regulation to regulate the regulator. The new clause is needed because an unjustified administrative order is a substantial wrong committed by the Crown against the subject. It is needed because justice has been common to our way of life for centuries. We ask only that the Government extend that principle to arm the small man against the over-zealous regulator.

5.30 pm

Dr. Tony Wright (Cannock and Burntwood): I always try to enjoy speeches by the hon. Member for Scarborough (Mr. Sykes) but I am finding it increasingly difficult to do so. Close contact with the hon. Gentleman over a long time has not helped matters a great deal. I had not intended to speak about his new clause, but I should like to make one comment on it. The hon. Gentleman was quite wrong to say that at no point in Committee did any of us suggest practical ideas to help the small business men of whom he spoke. I suggested a precise and practical idea—a small business support agency deliberately designed to meet the needs of small business men.

The idea came from a small business man in my constituency who said to me, "If the Government can set up a huge Child Support Agency at vast expense, why can they not set up a small business support agency to help me find the late payers who are crippling my business? I have neither the resources nor the mechanism to do that, but the problem affects every business in the land". Such an agency could carry out many other tasks, such as those to which the hon. Gentleman referred. It could have investigatory and ombudsman functions for the small business sector.

I put that idea to the Minsiter in Committee, but he did not welcome it. I subsequently wrote to him, extending the idea, and although he said that it was "interesting" he felt that the Government did not want to set up a new agency for that purpose. That was a practical idea and a serious opportunity for the Government to help solve the kind of problems that small businesses have identified. I hope that in his winding-up speech the Minister will say that he has thought again about that practical proposal. It would bring joy to all the small business people in my constituency if he would announce his support for such a proposal.

I am grateful to my hon. Friend the Member for Oldham, West (Mr. Meacher) for giving the House an opportunity to explore the whole question of the growth of unelected, non-accountable public bodies—the issue that is highlighted in our new clause. The Government returned to office promising to curb the growth of quangoland, regarding the whole excrescence as a product of the kind of corporatism which distinguished government in the 1970s. But the extraordinary reality is that there are now three times as many such bodies as there were in 1979, representing about £46 billion of public money—equivalent to a third of total public spending.

I am glad to have been associated with the report mentioned by my hon. Friend the Member for Oldham, West, which documents in fine detail the growth of the unelected state. The most extraordinary feature of that development is that it has been presided over by the very people who used to tell us that the centre of their political credo was the attack on centralisation and over-extended government, and that their mission was to haul it back and constitutionalise it. That that has not happened is dramatically and momentously apparent.

I am happy to explore with the Government all kinds of devices to run government and the public services in new ways. I am prepared to explore agencies and contracting out. I am even prepared to explore the notion of the most senior civil servants being appointed in new ways. But if government is to be fragmented in that way it must always be accompanied by the extension and strengthening of democracy and accountability. If that is not done, a huge democratic and accountability deficit will open up. That is precisely what has happened, and the deficit has given rise to the extraordinary and scandalous events to which the Public Accounts Committee has had to draw attention in an unprecedented way. We have arrived at a moment very like that of 140 or 150 years ago, when the great Victorians had in their sights the corruption of the old patronage state and decided to bring it into the democratic era.

Mr. Deputy Speaker: Order. I am having some difficulty relating the hon. Gentleman's speech to public bodies or small businesses. Perhaps he is about to elucidate.

Dr. Wright: Unless I am the subject of a monstrous deception—

Mr. Deputy Speaker: Order. I have been listening attentively and I am afraid that the hon. Gentleman's speech is very wide of new clause 4. Perhaps he will pull it back to that.

Dr. Wright: I shall, of course, try to be helpful, Mr. Deputy Speaker. I thought that I was speaking to new clause 4, which is about public bodies and their relationship to the need for the kind of controls that we debated earlier. I introduced my remarks by referring to the interesting other new clause which attempts to help small businesses. That was the context of my speech; I am sorry if it was not sufficiently clear.

The attempt by new clause 4 to bring public bodies—the new patronage state—under the umbrella of control and regulation will be seen as the historic equivalent of the attempt 150 years ago to constitutionalise the old patronage state. Interestingly, there has been only one serious study of patronage in Britain. It was written 30 years ago by an academic at the University of Reading and it is a rather meticulous, dry and scholarly book. It contains a comment at the end which may interest the House: the author said that the only danger that he could see on the horizon was that if one party exercised power for a prolonged period it could seek to use the patronage system in a partisan way to further its own interests. Precisely that danger has come to pass and makes most urgent the attempts at control and regulation that are being suggested.

I should like to relate the new clause to the Bill because the two are directly parallel. There has been an extraordinary growth in unaccountable, non-elected public bodies, representing the extension of state power in a quite new way that Parliament has failed to control. It was a great challenge to Parliament to provide that control and an indictment of Parliament that it has not done so. The key feature of the Bill is that it will enable Ministers to make orders to rescind primary legislation. The two elements are, first, the growth of ministerial patronage and the appointed state and, secondly, the Government's claiming to repeal primary legislation at will through orders—and the two sit together.

Will this Parliament allow that to happen? That is not a trivial question. It is rather important, and the answer will test Parliament itself. I must say to Conservative Members that it is striking that a political tradition which, historically, has attached itself to the importance of local government and of protections against a centralised state and has embraced the little platoons throughout society should have become the instrument of the most monstrous centralisation. I pay tribute to my hon. Friend the Member for Oldham, West for highlighting that in his new clause. I hope that the House will understand what the new clause is trying to say.

Mr. Iain Duncan Smith (Chingford): New clause 14 stands in my name and that of my hon. Friend the Member for Scarborough (Mr. Sykes), and, in spirit at least, we have with us my hon. Friend the Member for Brentford and Isleworth (Mr. Deva), who somehow slipped between the earlier amendment and the new clause. As my hon. Friend the Member for Scarborough has powerfully said—I will not back track over his arguments—new clause 14 is about giving the right of redress to a business that faces having to undertake large changes as a result of a decision by an official. Under the new clause, they may appeal through a magistrates court. We stand by that idea, which we proposed in Standing Committee, because we believe that it still provides the best mechanism for an impartial and judicial response to what is likely to be the imposition of an unfair decision.

The purpose of the Bill has always been deregulation. Yet it seemed to us that the one thing that was missing was a mechanism by which the ordinary business man or woman trying to go about his or her daily work has a right to challenge an unfair decision by an official. There is no such mechanism in the Bill as it currently stands. We urge and hope that the Government will think carefully about that.

I shall give only one example, although I could have given 100, which seems to enshrine so many of the problems faced by business men and women throughout

[Mr. Iain Duncan Smith]

the land. It is the case of a dairy farmer, Mr. Downey, who was recently told that, under a new EC regulation, he would face criminal prosecution unless he makes regular returns of the exact quantities of milk that he uses on his farm to feed his stock. After all the mechanisms of going through and checking how he did that—by weighing them and everything else—he was told that he had to calculate the weight of the milk.

Mr. Downey also has a cafe where he serves his unpasteurised milk, and an environmental health officer told him that he could serve it only if he put up notices to say that it contained organisms that were harmful to health, and submitted it four times a year for special test. That was at a cost of more than £240. Mr. Downey thought that that was altogether far too much and now serves UHT milk instead. But the irony is that his milk had already been checked by the Agricultural Development Advisory Service and local environmental health officers, because his main activity was in making cheese. Why could not they get their act together instead of double regulating that poor individual, who was trying to go about his business? He was compensated eventually by a cheque for £199. That was after he had lost thousands of pounds worth of business as a result of having to close the cheese-producing end of his business and being left with only the rump of his business.

After all that, Mr. Downey was served a notice by the local environmental health office advising him that there were 22 illegalities on the farm under the hygiene regulations, which would cost him thousands of pounds to change, or a fine of £2,000 if he failed to comply. After making a huge fuss and having a row with them, they eventually checked and discovered that only two of the regulations were statutorily required. They dropped the whole lot. The new clause would have given him, and others, a chance to challenge that imposition, which would have cost him a lot of money.

We all know the reasons for the regulations and we have been around them endlessly. They are threefold: first, the single market has produced some 200 to 300 different directives, which have poured out as a result of that harmonisation mechanism; secondly, the continuing business in Europe of the common agricultural policy and the ghastly common fisheries policy; and, thirdly, the problem here at home of the attitude of our Ministers and their officials. On seeing that a new regulation is required, the smiles light up on their faces. They reach into the rag-bag of things that they wanted to do over the past 10 or 15 years, heave them out and throw them at the particular regulation and say, "There it is. Let us add that on the back, because it tidies it all up." They do not even concern themselves about how much it will cost or what effect it will have.

That problem has not gone away. A mass of legislation pours out of the House in response to every single aspect, worry, concern or pressure group. The salmonella scare over the chickens and the eggs ended up closing vast numbers of businesses. After thousands of people had got into deep trouble—some 5,000 egg producers were put out of business—the Ministry of Agriculture, Fisheries and Food abandoned the policy, because, as it discovered, the incidence of salmonella continued to rise after all those impositions, and it did not get to the root of the problem by closing the businesses. The costs were absurd and they nearly destroyed too many businesses.

5.45 pm

The problem is that bureaucracy will continue to grow, and at a pace, unless we do something positive to check it and turn it around. That essentially is what the new clause is about. It will give the opportunity to somebody affected by that over-burdening, overweening bureaucracy to cry, "Stop. Check for a moment. They want to close me down, and I think that I have a chance to stay in business."

Mr. Miller: The hon. Gentleman is making an interesting and powerful case, and an attack on his own Front Bench. Does he agree that some 70 per cent. of the regulations about which he is referring were brought in by his Government? Is not that really the problem?

Mr. Duncan Smith: Governments of all persuasions are the problem, because at the end of the day they are invited down this road by hon. Members, such as the hon. Gentleman, who listen to the pressure groups and say, "My God, we have to go—panic, panic. Let us get this done." We all jump up. We have wonderful cross-party consensus. We all say, "Great stuff. Wonderful. Let us get this regulation on the statute book." Then in six months or a year, business men cry out to us, "It is killing us." We must start rowing back in the other direction, which is what the Bill is about.

Mr. Sykes: Does my hon. Friend think it odd to be lectured by a Member of Parliament who voted for the social chapter, which would heap a new raft of regulations on trade and industry in this country? Will my hon. Friend ask him whether he will vote with us in the Lobby tonight on the Bill?

Mr. Duncan Smith: As ever, my hon. Friend is absolutely right. It is galling to hear lectures from Labour Members. I certainly did not vote for the social chapter —I also did not vote for an awful lot of other stuff that came out of Maastricht, but that is neither here nor there. I resist lectures from Labour Members on the matter.

The reality is that it is not, as I said in the Standing Committee, about saying that every official out there is wrong and that every official is out to kill business. It is about saying that those on the extremes are the ones who are causing the problems, and we have to make them stop and think and check. It seems to me that only a mention of the words "health and safety" is enough to make everybody jump up and say, "My God, we must do something. Close that business down, because it is a real problem." Yet we find that we are way beyond the point at which there is a balance between cost and reasonableness.

Mr. Julian Brazier (Canterbury): Does my hon. Friend agree that, if we were talking about powers given to the police to deal with criminal matters, instead of those that are given for purely civil matters to the various bodies, all of what my hon. Friend the Member for Welwyn Hatfield (Mr. Evans) calls "That lot opposite" would be up shrieking about civil liberties?

Mr. Duncan Smith: My hon. Friend is right, and makes a powerful point. His support for us on the new clause is welcome, and I take note of that.

I hope that, in 20 years' time, people will look back on the Bill and see it as the point at which the Government grabbed the nettle of the over-imposition of regulation. Our new clause is the way through which individuals can fight back for their businesses and livelihoods, and people will wonder why that did not happen a long time before. They will also wonder why the Opposition were not up and down on their feet supporting every single word of it. The new clause does not affect safety. It will not mean that many more people will be involved in accidents. It will not mean extra difficulties for those working on the shop floor, but simply that the long-held principle of a British citizen's right to a fair hearing, to be innocent until proven guilty, and to go about his or her lawful business without unnecessary hindrance is at stake.

I urge the Government to bear with us. I urge them not to allow pressure groups and officials to tell them, "No, no, Minister, we must not do this"; they should say, "Let us do it, because it is right. It is the only thing to do." That is what our people outside want to hear.

Mr. John Heppell (Nottingham, East): I had not intended to speak on new clause 14. It was first presented to me on the basis that we should try to secure some cross-party consensus. The hon. Members for Chingford (Mr. Duncan Smith) and for Scarborough (Mr. Sykes) should consult some of the literature on how to win friends and influence people: insulting hon. Members across the Floor of the House is not likely to produce such consensus. It is amusing to watch the Morecambe and Wise act performed by the hon. Gentlemen, but they should try to get their timing right—or, if they cannot do that, try to get the balance right. All the matters that we are discussing are questions of balance.

The hon. Member for Chingford keeps talking about the individual. Amazingly, all the individuals involved happen to be business men. The hon. Gentleman never talks about individuals who are workers or consumers; he never talks about any individuals except business men.

Mr. Duncan Smith: The individual who is not running a business is also the individual who needs to be employed by the business. It is a fat lot of use to him when it has been closed down.

Mr. Heppell: I agree. I do not want businesses to be closed down; I want to encourage them as much as possible, and to ensure that unnecessary burdens are not placed on them. We must be careful, however, about what we deem necessary and what we deem unnecessary.

I really wanted to speak about new clause 4, which strikes me as being much more important than new clause 14. Its aim is to rein in the power of some of the unelected bureaucracies that are in control at present. The passage of the Bill so far has shown just how dangerous quangos can be; it has also shown how the Government operate. It has involved the establishment of a network of quangos—seven task forces, all containing appointees. The majority of those appointees are business men.

That reflects what is happening throughout the country. Bodies are set up with no democratic accountability; their members are hand-picked because of their views. They consult in secret and keep the results of that consultation secret. They make decisions on rules and regulations behind closed doors—decisions that are not released until the last moment. Last week, at the end of the process, we found that the Secretary of State had already set up a new deregulation panel composed of placemen to deal with the legislation: before it has passed through either House, a new quango is already in existence.

I maintain that, without that kind of democratic deficit, we would not have seen many of the examples given by my hon. Friend the Member for Oldham, West (Mr. Meacher). The district auditors would not have been investigating the health authority in Nottingham in connection with the Nottingham clinic; we would not have had one of our nurseries closed and then been told about the possibility of building new nurseries—but only if we were prepared to sell NHS land so that Sainsbury could build a supermarket; and other NHS land would not be, in effect, given away to private health operators.

The tragedy of all this is that the Government and the Conservative party do not accept that they are doing anything wrong: they think that there is nothing wrong with all these quangos. The personnel involved in the task forces, however, reflect the composition of quangos in general. Twelve of the companies represented on the committees concerned have made a total of 88 donations, worth £2.8 million: I suspect that that is one of the reasons for their membership of the quango. Another reason, I suspect, is the fact that 55 other donations have been made to four key Tory organisations, totalling nearly £700,000.

Mr. Brazier: Will the hon. Gentleman please remind me which Prime Minister appointed his son-in-law ambassador to Washington?

Mr. Heppell: I think I can remember, but I am not sure that it is particularly relevant. My point is this: it would be just as wrong for me to fill a quango with trade unionists as it is for the Government to fill one with business men. We should do away with quangos altogether.

Four out of the seven task forces contain representatives of companies that have employed seven Tory Members, or ex-Members; four of the seven chairmen come from companies that have given large donations to the Tory party. Mr. Christopher Chope, who lost his Southampton seat, serves on the transport task force.

Mr. Norris: Very good man.

Mr. Heppell: Very good man, the Minister says.

It does not matter if a Tory Member or candidate loses in an election; if he does not get into Parliament, he will still be able to make decisions in unelected quangos, having been placed there by the Government. That is what I object to.

The Minister is not listening, but I shall continue none the less. Last week I talked to the chief executive of my local training and enterprise council. I told him, "I cannot accept the fact that there is no democracy in the way in which you make decisions, or in the placing of people on the TEC." In fact, members of the TEC pick their own successors: if someone leaves, the TEC chooses that person's replacement. The chief executive replied, "Yes, but these are all honourable men with the good of the community at heart."

In the main, I can accept that; but I cannot accept the idea that I should be willing to be ruled by business men. I cannot accept the "Lady Bountiful" attitude that business men know what decisions should be made better than I do. I believe that business has a part to play, and should be included in our deliberations, but business men should not make these decisions in isolation. They do not represent

[Mr. Heppell]

the whole community. The only way in which to ensure that the community is represented is to establish public bodies that are accountable to the public.

People used not even to be able to vote unless they were landowners or had a business. We stopped that, because it was not democratic. Until just before the war, business men were allowed an extra vote simply because they were business men. We stopped that, too, because it was not democratic. I hope that hon. Members will support the new clause, because it attempts to restrict what is happening at present—the appointment of business men and Tory placemen—and to return us to proper, accountable democracy.

Mr. Nirj Joseph Deva (Brentford and Isleworth): In Committee, I was privileged to join my hon. Friends the Members for Scarborough (Mr. Sykes) and for Chingford (Mr. Duncan Smith) in tabling new clause 14, which I consider very important. I note a sense of anxiety in the House about time; as Henry VIII would have said to his many wives, "I shall not detain you for too long."

Henry VIII, in fact, was much cited in Committee in recent months, but I support the new clause on the ground that it is a Henry VII clause. That good king enabled his people to use the courts to right the wrongs perpetrated by officialdom many years ago. It is important to consider the conditions in which our industrial and manufacturing sectors and small businesses operate. Small businesses create jobs more efficiently than any other sector in this country. Between 1980 and 1988, the Conservative Government created 1 million new jobs, some of which have vanished because of the recession, predominantly in the small business sector, which is an efficient generator of jobs.

6 pm

The Labour party talks incessantly about manufacturing industry. Manufacturing industry is not some great monolith, but is supported by small contractors. Small businesses support large enterprises. If the Labour party is saying that it is not willing to support the small business man, it is talking through the other side of its head.

The Labour party talks incessantly about the consumer interest. The consumer must be given good value for money, for which there must be competition and efficient production. How will that be achieved if small businesses cannot compete against each other?

A more important consideration is the climate in which our country competes against what are now fashionably called the emerging markets. The western economies, particularly the United States, have invested £1,000 billion in setting up manufacturing institutions and industries throughout the Pacific rim, China, India and south Asia. Those countries produce the same goods as we can, but they do so much more cheaply. Do those countries have over-zealous regulation? Do they have the officialdom to which we are subjected in this country? Do people shut down businesses because the letter and spirit of the law has not been followed?

Mr. Miller: Will the hon. Gentleman give way?

Mr. Deva: No, I am sorry, but I will not.

Why are we discussing this very important Bill in total isolation, as though the rest of the world does not exist? We debate health, protection, over-zealous regulation and deregulation as though we are on another planet. That is why I ask my ministerial colleagues to agree to our new clause. The new clause follows the spirit of remarks made by the Prime Minister, the President of the Board of Trade and other people who are much more senior and more erudite than I in the Department of Trade and Industry.

The DTI's "Guide to Good Regulation", which was published this year, states:

> "The emphasis should be on compliance rather than on over-zealous enforcement."

In their efficiency scrutiny, the Government said:

> "We believe a culture of mistrust has developed over a number of years: openness and transparency in enforcement action seem to be the key to addressing this problem. We believe that a safety net of an independent appeals mechanism would provide justice for all, and impose sufficient discipline on enforcers to curb any excesses."

Our new clause addresses that problem. It would enable hard-working business men and small traders—the lifeblood of our country—to ask a magistrate for a stay of execution against a decision of an over-zealous official. That would concentrate the mind of the man imposing the regulation because he would have to make his case to a third party—a magistrate. With such a mechanism in place, businesses would expand, jobs would be created and our economy would grow.

Mr. William Cash (Stafford): Ancient Greece provides a cautionary tale for the Minister, the hon. Member for Leeds, Central (Mr. Fatchett), the Law Commission and perhaps the House. When the rulers of ancient Greece considered a new law proposed by a member of the public, they would ask the proposer to stand on a platform. If they liked the law, they took away the noose; if they did not, they took away the platform.

The House should consider the vast amount of expenditure that is imposed on small businesses and business. Day in and day out, we impose duties on the British people which cost money. The money is not necessarily available, so there is a tremendous squeeze, with the Chief Secretary having to negotiate on how to reduce the PSBR from £50 billion to reasonable levels, or having to decide whether we should increase taxation to meet the difference.

We should take a more radical view of the duties that the House imposes and reduce them to a level that is reasonably practicable. Forty-three Members signed an amendment that I tabled, which I understand could not be selected for this debate. Unless we are prepared to reduce the level of regulation to which our businesses our subjected, unless we are prepared to say that, irrespective of the amount of money available, there will not be an absolute duty to meet regulations, enforceable by judicial review, which places a burden on quangos, small businesses or the British people, and unless we are prepared to accept that there is another route—to go only so far as is reasonably practicable, rather than to impose blanket mindless obligations that cannot be met because money is not available—we shall find ourselves in a pit of unpopularity, and that difficulty may be combined with an inability to pay.

Only last weekend, I visited a retail complex in my constituency which contained a number of businesses. I encountered the most amazing state of affairs. Six 1992 regulations have been introduced, purportedly under health and safety requirements, but actually under European legislation. They include a list of duties for people and their employees. They include a list of about 15 to 20 activities such as twisting, turning, bending and stretching, for which there is a requirement to use goggles. It is unbelievable.

My hon. Friends the Members for Chingford (Mr. Duncan Smith) and for Scarborough (Mr. Sykes) have suggested that magistrates should consider such regulations, which I believe are worthy of reference to a lunatic asylum. The regulations state that staff must be trained to put on goggles and to put on a jacket. An assessment must subsequently be made of every single person in the business. Businesses are subjected to the humiliation, embarrassment, absurdity and expense of this ridiculous nonsense, which is associated with the social chapter, which Opposition Members urge us to accept in their absurd European manifesto.

The Bill goes to the heart of the changes that are necessary. It might be only one swing of the pendulum in "The Pit and the Pendulum", but the walls are closing in on the people of this country. The only way in which we can extract ourselves from this position is by reducing the duties that we continually heap on the people and substitute for them that which is reasonably practicable and can reasonably be paid for. Until we make a decision on that, we shall remain in the vortex of difficulty that we have created for ourselves.

Mr. Steen: Before I take up the points made in the tremendous oration of my hon. Friend the Member for Stafford (Mr. Cash), which greatly moved the House, I pay tribute to my hon. Friend the Member for Scarborough (Mr. Sykes). He has shown great courage and fortitude in tabling new clause 14, and the debate has attracted an enormous number of Conservative Members who are squeezed tightly together because of the shortage of space.

We could not have expected or hoped for a more sympathetic, more tuned in or more charismatic Minister than my hon. Friend the Under-Secretary of State for Corporate Affairs. There is perhaps little point in our making speeches because the Minister knows it all. He knows that what we are saying is right and he knows the problems that need to be dealt with. I suspect that our speeches are merely delaying the moment when he says that he will not only do what we suggest and accept the new clause but will go even further. It is unkind of us to delay his opportunity to tell us the good news—an opportunity for which he has waited for several hours—that he will not only accept the main provisions of new clause 14 but will improve them and make additional suggestions.

The House is especially bright at picking things up immediately, so I cannot believe that it has not detected the fact that the new clause is an attempt to find a way of dealing with existing rules and regulations. We are not discussing the big issues, such as reducing the number of Acts of Parliament or getting rid of primary legislation; we are discussing how to establish a mechanism to enable people at the grass roots to obtain some justice in the interpretation of those rules and regulations.

Although we recognise that the Bill is an amazing step in the right direction and that it will cut through swathes of unnecessary administration and bureaucracy, it will take a little time to do so. It could be four to five years before its real impact is felt. One way of proceeding would be to introduce a similar Bill every year. The Minister should take that suggestion to heart. Perhaps he could come to the House every year to respond to our debates—nothing would give us greater pleasure.

The main question covered in the new clause is how we get bevies of officials, paid for by the taxpayer, off the backs of the people when they are intent on pinning down their victims by enforcing a rule that they believe should be interpreted in a particular way. A rule will be interpreted differently in different parts of the country.

We need to involve a local tribunal, panel or administrator—one already in post. The beauty of the new clause is that it would not establish another quango or any further bureaucracy, but would make use of existing machinery to which we could give added responsibility and more work. We could perhaps call on the local tax inspector who is probably under-employed. It does not have to be the magistrate. We could ask the district surveyor or valuer. What about the rates panel—what do its members do—or the education appeals committee? I am sure that it could take on a little extra activity.

We need find only one or two such groups—there are many hundreds—and ask them to accept a bit of extra work. We should not expect to pay them for it—it is a voluntary activity although it is an important job. I do not care who takes on the work, but we need to find a way to ensure that the man in the street no longer feels victimised, persecuted, prosecuted, terrified or devastated by the little Hitler attitude of small-minded officials.

6.15 pm

In the past few weeks, I have several times raised the matter of over-zealous—I note that that has now become the "in" word—interpretation of regulations relating to filing cabinets by the administration of the Palace of Westminster. The administration is insisting that all filing cabinets have an anti-tilt device. Everyone in the House is familiar with that device, but it is nonsense. I have examined all the rules and regulations and there is no directive, either from Europe or from the United Kingdom, covering such matters. However, officials in the Palace of Westminster have decided that all filing cabinets that might tilt over and conk one on the head—though only if one opens all four drawers at the same time—have to be cleared out.

If a magistrates court in Westminster examined such a ridiculous interpretation by officialdom, we should not be getting rid of such filing cabinets. *[Interruption.]* Does my hon. Friend the Member for Colchester, North (Mr. Jenkin) wish to intervene?

Mr. Bernard Jenkin (Colchester, North) *indicated dissent.*

Mr. Steen: My hon. Friend is wise not to intervene while I am citing such a ridiculous example of bureaucracy and officialdom. As there is no method of appeal, officials are free to interpret as they wish. There is no way of stopping them. Even more serious, what would happen if every local authority inspector decided that every filing cabinet without an anti-tilt device had to be thrown away? What would be the cost to the taxpayer? *[Interruption.]* No, I do not have an anti-tilt device.

Filing cabinets are not the only problem. What about the height of desks? Colleagues do not realise that all their desks are to be thrown out because they are not the right height. That is not a result of European legislation or local officials; it is because officials in the Palace of

[Mr. Steen]

Westminster have decided that all desks have to be changed because one secretary has a back ache. That proves the absurdity of the rules and regulations and makes it clear why the new clause is extremely important.

Mr. Jenkin: May I draw my hon. Friend's attention to the Electricity at Work Regulations 1989? Has he noticed that a little tag or sticker has recently been put on the back of the electrical appliances in his office, or on their flexes, to show that a Palace official has checked them to ensure that no one could kill himself with them? Has he asked any officials to give chapter and verse of the regulation that requires such extensive checking? To my knowledge, no such regulation exists.

Mr. Steen: My hon. Friend's question is very timely and is evidence of his foresight because I was about to raise exactly that issue. I thought that my hon. Friend might mention it so I took the precaution of asking senior people in the Library to help me track down the relevant regulation. I received a letter which said:

> "I can find no regulations, or even codes of practice, which specifically mention"

such a requirement. Therefore, the House has unnecessarily spent tens of thousands of pounds on sticking little numbers on flexes and power points, not to mention the £600 German hair dryers installed in some of the cloakrooms. Little numbers have also been stuck on typewriters and computers, which is wholly unnecessary.

Mr. Duncan Smith: To extend my hon. Friend's argument, the point is not just the Palace of Westminster, but the fact that throughout the land there are businesses that are now being told by a number of sources, "This is a regulation with which you must comply" when, in reality, it is not. Does my hon. Friend accept, therefore, that the big problem is that, without a form of challenge, businesses never dream of challenging what they are told is a regulation?

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. Before we go further, I point out that we are straying a little wide. We should be talking about business outside the Palace, and not business within the Palace. The hon. Member for South Hams (Mr. Steen) has so far dwelt on business within the Palace.

Mr. Steen: I shall quickly move outside the Palace. I dwelt on what was happening within the Palace only to point out that if we cannot get it right without an appeals mechanism, how can we expect the little man to get it right?

Mr. John Garrett (Norwich, South): I was tempted earlier to ask the hon. Gentleman whether he tilted when his drawers were pulled open, but I decided not to. Surely he is aware that the Palace of Westminster operates under Crown immunity. All he has to do is to speak to the Leader of the House, who is a member of his own party.

Mr. Steen: I know who my right hon. Friend the Member for Braintree (Mr. Newton) is. I am speaking to him and drawing his attention to this additional and unnecessary expenditure. I do not want to spend any more time on the matter and I must follow what Mr. Deputy Speaker has said in his important ruling.

The issue is this. If the Palace of Westminster cannot get it right, none of the small businesses and industries can get it right. I shall now give one or two examples outside the House and I shall explain to my hon. Friend the Member for Scarborough why his new clause is so important. Three enormous new barns have been built in my constituency in an area of great landscape value. The view is magnificent until one sees these whacking great barns. They were built in the wrong place, at the wrong height and without planning consent. What do the planners say?

Mr. Garrett: They say, "Pull them down."

Mr. Steen: They do not. The planners say, "Apply for retrospective planning consent." The developer has applied for retrospective planning consent and the officials will recommend that these whacking great barns, which are far larger than one would have contemplated, should stay.

Ten miles away, in the little hamlet of Aveton Gifford on the banks of the Avon, there is a little farmhouse. It has very little future because farming has declined. The farmers have converted their front parlour into a tea room and applied for planning consent. It is a beautiful little tea room in which wonderful cream teas are served. It is miles off the beaten track, so people cannot find it. The farmers have put a little cardboard sign in the grass by the side of the road which says, "Cream teas this way". They have been threatened with enforcement action by the local planners if they do not take that little cardboard sign out of the soil. The local authority is prepared for the farm to close if it goes bust. The farmers will not be able to find the money to survive, so the cream teas are important to them. Yet the whacking great barns can stay up for ever.

That is an example of why new clause 14 is so important and that is why my hon. Friend the Under-Secretary of State for Corporate Affairs needs to respond in his customarily helpful and enigmatic way. If he feels that he cannot support new clause 14, I point out that he has 11,389 officials. Surely some of them can dream up a better new clause which will provide an even better solution to the problem.

I had a word with the Whip, my hon. Friend the Member for Gedling (Mr. Mitchell), before I spoke. He said that it might help my career if I did not speak for too long. I had to tell him that I did not have a career any longer, so it would not help me to speak for a short while. I support the new clause.

Mr. Christopher Gill (Ludlow): I support new clause 14. I am sorry that I was not present to hear my hon. Friend the Member for Scarborough (Mr. Sykes) speak in support of the new clause. I know that he speaks with the experience of having run a private business. He has, therefore, an understanding of the way in which regulatory over-kill impacts on business. In other words, he is not discussing this, as many Opposition Members will tonight, in a vacuum. He is discussing it in the light of his experience.

It is difficult for people outside the House to understand why their problems and concerns are not more adequately and satisfactorily represented in the House. I believe that the reason is, in no small measure, that, regrettably, there are fewer and fewer hon. Members who have had the experience of running businesses and of being on the receiving end of so much mindless bureaucracy.

The Minister for Industry (Mr. Tim Sainsbury) *indicated assent.*

Mr. Gill: I see my right hon. Friend the Minister for Industry, who has a connection with a large business, nodding. I am not sure whether he is nodding in agreement. *In a little while, I shall tell the House* how seriously I regard the matter of over-regulation, not least because the burden bears down most heavily on the smaller businesses rather than on the bigger businesses.

The bigger businesses have the scope to designate a person within the business to look after this or that piece of regulation. I hope that Ministers understand that in a small business, where there may be only one owner-driver, that person has to be the salesman, the marketing director, the production director and the accountant, and he has to look after all the regulations. That is why so many of our small business men are absolutely fed up to the back teeth with so much regulation. Small business men know that when it comes to the implementation of that regulation, it is down to them.

Many hon. Members may be inclined to believe that small business men should react more strongly against the legislation that they resent and that they should be more troublesome about it. That again illustrates the lack of understanding in the House about a small business man's priority. His priority when he gets up in the morning is to go to his factory, and to produce a product that he can sell at a profit. He can then reinvest in the business to create more jobs, more products, more profit, more investment, more jobs and so on. It is a virtuous circle. What mitigates against that virtuous circle is the plethora of legislation.

I support new clause 14 because it would, for the first time, establish an appeals procedure which would involve the impartiality of the courts. From my own experience, I can tell the House without fear or favour that in all the jams I have been in when dealing with officialdom, there was no final arbiter to whom I could appeal other than the senior civil servant or local government officer. He is not, of course, exactly impartial in these matters.

My hon. Friend the Member for Chingford (Mr. Duncan Smith) has referred to the number of small businesses that have simply closed down because of the attitude of officials. My hon. Friend the Member for South Hams (Mr. Steen), in his invaluable contribution, mentioned how so much depends on the interpretation that officials put on a piece of legislation, which may vary from one local authority area to another.

Mr. Nigel Evans (Ribble Valley): Does my hon. Friend agree that part of the problem with Opposition Members is that they have never run a business in their lives? If they had done so, they might be more supportive of the deregulation principle—

Mr. John Spellar (Warley, West): A real captain of industry.

Mr. Evans: Irrespective of what the hon. Gentleman says, at least I have had to meet a wage bill every week on behalf of eight employees. Opposition Members have never had to do that. That is the crux of the difference between us. Opposition Members have never had to meet a wage bill. Does my hon. Friend the Member for Ludlow (Mr. Gill) agree that it would be useful if some of our local officers, who have to interpret some of the rules and regulations, were seconded to industry? They would then get a better understanding of industry.

Mr. Gill: My hon. Friend the Member for Ribble Valley (Mr. Evans) raises an interesting point. Broadly speaking, he is probably correct in saying that not too many Opposition Members have run businesses. However, I detect a dawning realisation on the Opposition Benches that it is quite important to have successful businesses, because they create the wealth of the nation and employ our constituents. The sad thing is that not all Opposition Members are prepared to go that far and, undoubtedly, many have yet to see the light. Of course, it is satisfactory from our standpoint that they continue to squabble and bicker among themselves on this and many other subjects.

My hon. Friend the Member for Chingford also mentioned the question of eggs and salmonella. I am on record as saying that, when the scare blew up in 1988, we immediately seized the wrong end of the telescope through which we peered at the problem. Why were Ministers considering the problem of eggs and salmonella through the wrong end of the telescope? It was simply because their officials handed them the wrong end of the telescope.

The knee-jerk reaction to that cry resulted in a great deal of extra, burdensome legislation being enforced in the egg and poultry industry, although some of it has been rescinded because it has been proved faulty. I do not blame Ministers nearly as much as I blame their officials for giving that advice in the first place. The only categorical statement one can make about that problem is that, if the housewives, the cooks, the chefs and anybody else involved in preparing food had cooked eggs and poultry correctly, there would have been no risk to human health whatever. In the interim, we have seen the slaughter of 3.5 million poultry at a cost of over £7 million to the taxpayer.

6.30 pm

I want to tell the House about the case of my constituent, Mr. Shaw of Morville, who is being pilloried even now by officials of the Ministry of Agriculture, Fisheries and Food because he feels, with some justification in my opinion, that he is a victim of a vendetta simply because he stands up to the officials, says that they do not have the power to do what they want to do and tells them that, until they produce the legislation which empowers them to enforce what they say he must do, he is not letting them on to his premises.

The reason why Mr. Shaw is on the hit list of officialdom is not least because he was involved in a cause celebre. He went to court in defence of the nuns at Daventry and won the case, against all the officials. That went down very badly with the officials, to the extent that, even to this day, they hound my constituent Mr. Shaw, who runs a bona fide business responsibly and who conducts an enormous amount of valuable research work for the poultry industry, quite apart from maintaining a breeding stock and a blood-line, which would otherwise disappear and be a great loss to the whole British poultry and egg industry.

My hon. Friend the Member for Stafford (Mr. Cash) spoke about the responsibility of politicians. My goodness, we have a responsibility, because it is only as a result of our going through one Lobby or the other, night after night, that we have such an enormous weight of statute law. That situation—

Mr. John McAllion (Dundee, East): That is because of the hon. Member's Government.

Mr. Gill: Does the hon. Gentleman wish to intervene?

Mr. McAllion: Does not the hon. Gentleman think that it has had something to do with his right hon. Friends on the Front Bench that an enormous amount of statute law has gone through the House?

Mr. Gill: The hon. Gentleman raises an interesting point. However, I took the trouble to go to the Library some weeks ago to see how the amount of statute law had varied from one year to another and from one Government to another. I must say to the hon. Gentleman that, while it is true that my team has not done ever so well, neither has his team. The honours are shared. The hon. Gentleman provokes me to say, while I am on my feet, that at least this Government have recognised the problem and are doing something about it. If the Minister has the good sense to adopt new clause 14, so ably proposed by my hon. Friends the Members for Scarborough and for Chingford, not only will he have done something about it, but he will have done so in a workmanlike manner.

My constituents and those of my hon. Friends want to be rid of the tyranny of officialdom. What the Government have to do and what any Government must do is hold the ring between, on the one hand, what is desirable and, on the other, what is necessary. Many Opposition Members are for ever coming to the House and saying what additional legislation they would like. I must say to them that much of that proposed legislation may be desirable, but not much of it is necessary.

Mr. Steen *rose—*

Mr. Gill: May I finish the sentence? I especially want to tell my right hon. Friends on the Front Bench how important it is for the Government to hold the ring between what is desirable and what is strictly necessary.

Mr. Steen *rose—*

Mr. Deputy Speaker: Order. Has the hon. Member given way?

Mr. Gill: Of course.

Mr. Steen: My hon. Friend has made an important contribution to a very important debate, but there is one issue that I should like to correct. Most officials are carrying out their duties, they are doing their best and they are terrified about losing their jobs. One of the problems is corrected by the new clause. Because they are sometimes concerned about keeping their jobs, they go too far and that is why we need an appeals mechanism. The other point is that we have too many officials. Does my hon. Friend agree that if we reduced the number of officials, it would be far better?

Mr. Gill: My hon. Friend makes some interesting observations. Unfortunately, his intervention was not quite long enough for me to think of another peroration of the speech that I thought I had just finished. Notwithstanding that, my hon. Friend tempts me to comment on one or two things that he said.

I well remember going to a meeting organised by the tourist association of south Shropshire, where various farmers and farmers' wives came together to discuss how they could develop their properties for bed and breakfast, overnight accommodation and so on. I had the audacity to stand up and say, in front of all the planning officers who were also present, that perhaps it would be easier for those people to provide bed and breakfast accommodation if they were allowed to convert their barns and buildings in the way they wanted. I said that I understood their problems because along comes an official, who says to them, "Not like that, not now, not in that shape and form; re-submit an application."

Of course, the officials pointed out that it was as a result of the activities of this House that they were empowered to take such an attitude. So we cannot shuffle off blame from the House to the hundreds of thousands of officials who are empowered to enforce rules and regulations. There are too many regulations and I agree with my hon. Friend the Member for South Hams that there are too many officials as well.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Neil Hamilton): I am sure that I speak for the entire House when I welcome the hon. Member for Oldham, West (Mr. Meacher) to our proceedings. If ever a demonstration were needed that the inter-party truce had come to an end, that must be it. The hon. Member for Leeds, Central (Mr. Fatchett)—nice, emollient, reasonable and moderate—has been replaced by the red rottweiler from Oldham.

The hon. Member for Oldham, West made a passionate speech in favour of new clause 4. I normally associate him with passionate speeches on old clause IV. We do not hear so much of that any longer because a new spirit stalks the land, especially in Bambi land, which is occupied by Opposition Members. They now have to pole-vault over one another in their speeches to become ever more right wing to appeal to their electorates.

We heard a vintage right-wing performance from the hon. Member for Oldham, West, which I might have been capable of making before I joined the Government. He spoke, for example, in defence of those old-fashioned Thatcherite themes of cutting government, reducing the amount of interference in people's lives, destroying quangos and reducing the size of the civil service. The hon. Gentleman may be under some misapprehension because it is in his party that there is a leadership vacancy. He is appealing to the wrong audience.

The hon. Gentleman's speech seemed not to go to the heart of his new clause, if I may put it in that delicate way. He talked about quangos in general and quoted in particular a report that has appeared in the newspapers of a body called Democratic Audit, which has criticised the Government performance on quangos. He claimed that Democratic Audit was an independent body. I do not know anything about its membership but I am slightly suspicious. It may be as independent as the German Democratic Republic was democratic.

The truth of the matter is otherwise to that which the hon. Gentleman asserts. Over the past 15 years, there has been a substantial reduction in the number of quangos. The hon. Gentleman can reach the figures that he has been quoting only if he includes grant-maintained schools, for example, where, for the first time, parents and others with a direct interest in the education of their children have a voice. If grant-maintained schools are counted as quangos, I shall be delighted to see more of them. Indeed, that policy could be applied to many other areas.

In the few minutes that are available to me. I shall talk about some of the serious policies that my hon. Friends endorse—some Opposition Members have professed to endorse them—and which form the basis of the arguments advanced by my hon. Friend the Member for Scarborough (Mr. Sykes) and many other hon. Friends in a variety of philippics in the past hour and three quarters, or so.

I have no difficulty in saying to my hon. Friends that I share their analysis of the problems that beset us. I share also their objectives in trying to do something to overcome them. I wish to try especially to provide an appeals mechanism that is quick, effective and cost-effective and will not create a new bureaucracy within which people will be subsumed. That was one of the many good points made by my hon. Friend the Member for South Hams (Mr. Steen). I hope that, as a result of the deregulation initiative, we shall be able seriously to examine the difficulties and produce practical solutions.

6.45 pm

We are doing many things that will assist us in achieving our objective. We are trying in particular—this emerged in Committee, where there was consensus on the matter—to bring together the regulators and those who are being regulated, to ensure that there is clarity of purpose among those making the rules. We wish to ensure that there is a good dialogue on enforcement policies, that there is adequate consultation, a courteous and efficient service, the minimisation of compliance costs and, especially, well-publicised, swift and effective complaints procedures that are easily accessible to business.

We are doing all those things. That provides us with part of the answer, but I emphasise, "part". I accept that there is a need to go further.

We must ask ourselves whether the courts will provide us with the right answer. Far be it from me to speak ill of my profession—the law. I have no intention of doing that in case I might need to take it up again one day. My experience of the courts, and as a Member, in terms of the interests of businesses, does not incline me to believe that the courts offer the perfect mechanism by which we can solve all the difficulties that my hon. Friends and others have brought before us.

I can illustrate that by taking an example that is set out in the Bill—the provision of children's certificates for pubs. We have already been receiving complaints that the magistrates courts—the mechanism by which the certificates will be granted—are in some instances taking an overly restrictive attitude towards the new liberality that those who support the Bill are trying to bring about. For example, I have a letter from a firm of solicitors complaining about the licensing committees of Birmingham and Sheffield. The letter states that the committees

> "have attained some notoriety within licensing circles for their lack of flexibility, and rigid adherence to their policies in the face of overwhelming evidence."

I have other letters about, for example, Carlisle where it is alleged that the statements on

> "policy on the provision of family rooms under the law as it stands . . . are both unreasonable in themselves and bode ill for the future children's certificates regime."

I shall quote shortly from the policy of the Carlisle justices. The quote may illustrate to my hon. Friends why I think that the magistrates courts may not be the ideal solution and may not provide an answer to their problems. The justices state that they

> "do not favour the provision in licensed premises of what are generally known as 'family rooms', that is to say, rooms specially provided to accommodate children."

They continue to assert that

> "they would not favour the proposition of a family room in a busy city or suburban public house . . . the provision of other children's facilities (such as swings or climbing frames) in the garden or car park of such premises, would not by itself influence the justices in favour of a family room in those premises."

The justices would require

> "suitable toilet accommodation to be provided for the use of children only, quite apart and separate from that provided for adults."

And so on and so forth. As I have said, it may be that the magistrates courts do not provide a forum in which businesses are likely to be given the most sympathetic hearing.

Appeals mechanisms are already provided in some instances, which would be overridden by the general provisions of new clause 14. We would have to examine carefully the way in which the clause might supersede or duplicate the existing enforcement and appeals powers. I have asked the deregulation task force to examine with care the problems that are being faced by businesses throughout the country, which I fully accept.

I have no difficulty in saying that the absurd cases that my hon. Friends have brought forward are a more than adequate demonstration of the need to find a solution to the problem. We must be certain, however, before we make any policy decision, that we shall not make the problem worse.

The essence of the deregulation initiative is that we should think extremely carefully, think even more carefully—I say this in deference to my hon. Friend the Member for Ludlow (Mr. Gill)—before we legislate. We must cost what we propose to do and think through the consequences of our decisions. I hope that the deregulation task force will be able quickly to produce a proposal. I am sure that the matter will be dealt with at length in another place.

Given the opportunities that are available for the Government to take, I ask my hon. Friend the Member for Scarborough to withdraw his new clause. As I have explained, there are opportunities for the Government to take a policy decision. If my hon. Friend withdraws his clause and the matter goes to another place, the basis of the debate there will consequently be more informed. I fully support what my hon. Friend wants to achieve, but I am not certain that the mechanism that he has put forward is the one to realise his objective. Therefore, I am not able to accept his new clause.

The hon. Member for Oldham, West has gone halfway towards achieving what my hon. Friend the Member for Scarborough wishes to achieve. I had half a mind to astonish him—perhaps horrify him—by accepting his new clause. I am not prepared to do that, however, for the reasons that I have set out in my response to my hon. Friend's new clause. On that basis, I hope that both the hon. Gentleman and my hon. Friend will not press their new clauses.

Mr. Fatchett: During the past hour and a half, facts have rarely intervened on some of the prejudices that have been peddled enjoyably by Conservative Members. It may be worth while to recall that 71 per cent. of the orders and regulations which now cover industry and which are a so-called burden on industry were introduced by this

[Mr. Fatchett]

Government. Conservative Members should ask themselves what they are doing when they go into the Division Lobby at night and slavishly follow their Whips.

It may be worth while to refer to a point made by the hon. Member for Ludlow (Mr. Gill). He said that the last Labour Government's record and this Government's record were about the same with regard to regulations. He embellished the point by saying that he had visited the Library to discover the facts. His visit was not wholly fruitful.

The simple fact is that this Government have introduced almost twice as many regulations and orders as did the previous Labour Government. As the hon. Member for Ludlow played such a keen part in the opposition to the Maastricht Bill, he should know the reason for that imbalance. Much of that relates to secondary legislation from the European Union. That accounts for the substantial difference and change in the quantity of regulations.

There are many weaknesses in new clause 14 because of the procedures that are to be used. The route via the magistrates court would be a lawyer's gold mine. There would have to be case law and precedent and there would be one case after another. That is not the way to deal with the problem to which the new clause relates.

There would also be a lack of uniformity. All Conservative Members have said that they are looking for uniformity and sensitivity in terms of the application of regulations. New clause 14 will not achieve those objectives. If the hon. Member for Scarborough (Mr. Sykes) decides to press his new clause to a Division, my hon. Friends will be asked to vote against it because we believe that it is defective in terms of achieving the hon. Gentleman's objectives.

I have another point for the hon. Member for Scarborough. In his opening comments, he turned on my hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) and said that she was not in the Standing Committee when it debated fire safety and hotels. I remind the hon. Member for Scarborough that, at columns 774 and 775 of the report of the Committee proceedings of 24 March, he had an exchange with my hon. Friend the Member for Hillsborough, which seems to suggest that they were both present then.

Mr. Sykes: I am grateful to the hon. Gentleman for allowing me to put the record straight. If the hon. Gentleman had been listening to me, he would know that I referred to Thursday 28 April when I moved new clause 21 on the very subject that we are discussing today. That was when the hon. Member for Hillsborough was in South Africa.

Mr. Fatchett: We will consider the record on that matter.

Mrs. Jackson: Will my hon. Friend give way?

Mr. Fatchett: I will give way to my hon. Friend, but I know that the House wishes to reach a conclusion on this issue in a few moments.

Mrs. Jackson: Very briefly, the point that the hon. Member for Scarborough failed to answer related to a question about fire safety specifically. I remembered the interchange in Committee, for which we were both present. That was the intervention that I spoke about.

Mr. Fatchett: I no longer intend to be a conduit in the conversation between two other hon. Members.

I must tell the hon. Member for Scarborough that we will not support new clause 14.

New clause 4, which my hon. Friend the Member for Oldham, West (Mr. Meacher) introduced some time ago, is about the burdens imposed on business by the quangos that have been set up by the Government; the extent to which they now account for a substantial proportion of gross national product and public expenditure; and the extent to which they are bodies in respect of which it appears that the only qualification for membership is that one is a supporter of the Conservative party, a member of the Conservative party or related to someone in either of those categories. Any other attribute seems to be of no importance.

When Conservative Members who have spoken so vividly on other occasions about Maastricht and accountability are not prepared to support new clause 4, their arguments about accountability and democracy become somewhat thinner. The crucial point about new clause 4 is that it makes this place more able to make accountable money that is spent on our behalf.

We are opposing the sleaze, corruption and waste involved in the number of quangos that the Government have established. A keen and obvious theme arises from these debates: the Opposition are in favour of open and clean government; Conservative Members are not. That is why I ask my hon. Friends to support new clause 4.

Question put, That the clause be read a Second time:—

The House divided: Ayes 225, Noes 284.

Division No. 252] **[6.54 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Enright, Derek
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John

George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kinnock, Rt Hon Neil *(Islwyn)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*

Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Wareing, Robert N
Watson, Mike
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Kilfoyle and
Mr. Alan Meale.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Bendall, Vivian
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley

Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Legg, Barry
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*

Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Derek Conway.

Question accordingly negatived.

Clause 59

FUNCTIONS OF MINISTERS AND OFFICE-HOLDERS

Amendment proposed: No. 101, in page 51, line 31, after 'by' insert 'subsection (1A) or'. — *[Mr. Andrew Mitchell.]*

Mr. Deputy Speaker: With this it will be convenient to consider the following amendments: Government amendment No. 102.

No. 42, in page 51, line 36, leave out from 'section' to end of line 37 and insert—

'(a) in relation to any function of a Minister, without first consulting any officer exercising the function on behalf of the Minister and any organisation appearing to the Minister to be representative of such officers, or

(b) in relation to any function of an officer-holder, without first consulting him, any officer exercising the function on his behalf and any organisation appearing to the Minister to be representative of such officers.'.

No. 93, in page 51, line 37, at end insert

'and informing those bodies or persons likely in his opinion to be affected by any extension of these functions, and any representative organisation of such bodies or persons as the Minister may consider appropriate.'.

No. 45, in clause 60, page 52, line 28, at end insert—

'(3A) The Minister shall have regard to any representations made during the consultation under subsection (3) above and if it appears to him, as a result of that consultation, that it is appropriate to vary the whole or any part of his proposals, he shall undertake such further consultation with respect to the variations as they appear to him to be appropriate.

(3B) When a draft of an order under this section is laid before Parliament under section 67(2) below, the Minister shall, at the same time, lay before Parliament a statement giving details of any consultation undertaken as required by subsection (3) above.'.

No. 43, in clause 61, page 53, line 7, at end insert 'or

(d) it is a power or duty to determine the amount of any payment from public funds due under any enactment to any person.'.

No. 9, in clause 63, page 54, line 6, after 'subsisting', insert

'provided that the relevant contract is scheduled to be in force for no more than three years'.

No. 18, in clause 67, page 57, line 9, at end insert—

'(1A) An order under section 59 above relating to a function of a Minister shall contain a provision requiring an annual report to be laid before Parliament on the exercise of that function by, or by employees of, such person (if any) as may be authorised in that behalf by the Minister whose function it is'.

Mr. Garrett: I wish to speak to amendment No. 42, which calls for Ministers to consult representatives of civil servants in the process of contracting out.

One of the most serious casualties of the changes in Government service has been the former participative management style of the civil service. That is part of a pattern. Whenever they can, Ministers treat their civil servants as disposable rather than as a valuable resource. The civil service has changed in my time from a model employer to an authoritarian and uncaring one.

Consultative arrangements of long standing have been overthrown. For example, when agencies were set up, trade unions were never consulted on the governing framework documents that set out their activities and the performance required from them. Those framework documents established the performance required of the agencies, but never referred to personnel policies or consultative arrangements.

We know from an Efficiency Unit document that Departments and agencies are under no obligation to consult recognised unions in the civil service about the policy and principles relating to the market testing of particular statutory functions. That document simply says that Departments and agencies may wish to inform their recognised trade unions about any decision to make an order which might affect their staff's terms and conditions of service and/or working arrangements. I also see that Diana Kahn of the Efficiency Unit told union representatives on 4 February that the fact that a service may be delivered by someone other than a civil servant was not, in itself, justification for consultation.

I assume that during the 40-day period for general public consultation on a contracting-out order under the

Bill, trade unions should be consulted on the prospective effects on employees of such an order. Such a request seems to be the least that should be required of a decent employer.

We have had the example of the transfer of the Warren Spring laboratory, which did environmental technology studies, to AEA Technology. That followed a consultancy report after a four-week study. The fate of that great institution was decided after a four-week study by PA Consulting, which is itself an environmental consultancy. Only 18 months earlier a Department of Trade and Industry Minister allowed Warren Spring to build new premises as an act of faith in its future.

Trade unions were given no chance to question the assumptions of that consultancy study. I should have thought that that was less than professional practice on the part of the consultants. The terms of reference were secret. The unions were allowed to see the report only after the decision to close Warren Spring had been taken, and then only to discuss the consequent redundancies.

It is clear that decisions on the closure and privatisation of Ministry of Defence facilities—with, it is said, the loss of up to 25,000 jobs—will be made in July, at the end of the parliamentary Session. I should like to know what consultation with the staff representatives the Government intend to allow on those redundancies. The unions have constantly pressed to be involved in the Ministry of Defence review process, with no result. They have been told that no proposal arising from those studies can be revealed or can be the subject of consultation. Much of the contracting out will proceed without a market test or on the basis that an in-house bid is disallowed. So civil servants are expected to surrender their jobs without consultation.

In my constituency, Her Majesty's Stationery Office is the subject of a so-called commercialisation study. There has been no consultation with the staff, who are completely in the dark as to their future. One thing about market testing is that, if an in-house bid wins, the staff are forced to compete for their jobs once again three years later. There could hardly be a worse example of personnel practice.

Departments often act unlawfully in contracting out. Recently, the Home Office was to be taken to the Central Arbitration Committee for failure to consult on the specifications for market testing under section 181 of the Employment Protection (Consolidation) Act 1978; then, seeing the error of its ways, it had to settle before the hearing, having been advised that it would have to consult its staff under the Act.

At present no fewer than six cases are being brought before industrial tribunals for non-consultation under the Transfer of Undertakings (Protection of Employment) Regulations 1981—against the Home Office, the Scottish Office and Bureau West of the Ministry of Defence. Those processes are an object lesson in bad management for what was, some years ago, a model employer.

7.15 pm

Not only do the Government not consult: they refuse even to discover what their employees think. That brings us to the remarkable case of the survey proposed by the Treasury and Civil Service Select Committee. Not only will the Government not consult civil servants: they want to stop Parliament consulting them. When I was a member of the Select Committee some months ago, I proposed that its Treasury and Civil Service Sub-Committee should carry out an attitude survey of civil servants, particularly junior civil servants, to find out what had been the impact of all the Government changes on the people who do the work in Departments.

I proposed that undertaking for two reasons: first, because it was not sufficient for a Select Committee studying the civil service simply to take evidence from the great and the good—from Ministers, senior civil servants and academics—without finding out what the workers thought; and, secondly, because I wanted to establish that Select Committees were entitled to research budgets. To my slight surprise, the Committee accepted my proposal.

The reaction of the Chancellor of the Duchy of Lancaster and the head of the civil service to the proposal was ludicrous. Both accused the all-party Committee which had accepted the survey proposal of having political motives. Yet they had both seen the proposed questionnaire, which simply asked the respondents how they had been affected by the Government's changes to the civil service and what they thought of the civil service as an employer.

Sir Robin Butler, the head of the civil service, who is fast becoming a laughing stock as a Government apologist, said to a Conservative member of the Treasury Select Committee that if Parliament wanted to know about civil service morale, it could ask him. He also referred to the dangers of "outside bodies"—as he said, in a sinister way—researching the civil service. He had to be reminded by the Chairman of the Committee, my hon. Friend the Member for Durham, North (Mr. Radice), that

> "We are not just an outside body, we are Parliament".

Neither Sir Robin nor the Chancellor of the Duchy of Lancaster can stop the Treasury and Civil Service Sub-Committee interviewing 500 civil servants. Yet they are both trying to stop the Committee writing to them. Their position is untenable. If the Government continue to refuse to co-operate, the Committee will have to issue an interim report to the House saying that its will is being contemptuously thwarted by the Chancellor of the Duchy of Lancaster—a matter on which I hope there would be a vote in the House.

We all know that staff consultation and participation in the civil service is now abysmally bad. A recent survey in the Treasury—the home of the mandarins—was answered by 70 per cent. of the staff. Some 68 per cent. of those who answered thought that Treasury top management was poor or very poor at communicating with its staff, while 9 per cent. thought that it was good. Only 11 per cent. thought that the Treasury was good at managing change. Only 13 per cent. thought that the Treasury's change programme was clear and focused.

So you can see, Mr. Deputy Speaker, the argument for consulting staff before Departments are turned upside down. The civil service is in turmoil, and the staff, who are committed public servants trying to follow the public ethos under which they were recruited into the civil service, are being treated despicably by the Government.

In my 30 years' involvement in civil service matters, I have never known morale to be so low or civil servants to be treated in such an offhand way. We consider that civil servants have the right to be consulted on matters that affect their livelihood. Amendment No. 42 seeks to offer them a modest degree of protection.

Mr. McAllion: The amendments that we are debating seek to amend clause 59, the purpose of which is to make contracting out and privatisation easier. However, I note

[Mr. McAllion]

from Government amendments Nos. 101 and 102 that even the Government want to exempt some of the functions of the civil service from the process of making privatisation and contracting out easier to handle. In particular, Government amendment No. 102 refers to the courts, the sheriff courts and the Court of Session in Scotland and the courts down here in England and Wales.

Perhaps the Government have learnt from their experience of contracting out the prison escort service to Group 4 just how bad it is to contract out, market-test or remove from the public sector vital services such as the courts service and the Prison Service. I note that that is the only part of the state that the Government are prepared to exempt from the contracting-out process—no doubt because they have always seen the state in terms of law and order and nothing else. They do not see the role of the state and of society as being to provide any kind of service; to them, the purpose of state and society is simply to provide the stick with which to beat people and coerce them into accepting whatever the market dictates at any particular time.

I support the amendments standing in the names of my right hon. and hon. Friends, which seek to ensure that, before any order is laid making it easier to contract out or privatise any of the departmental activities in the civil service, the Government must not only consult civil servants and their trade unions but take heed of what that consultation has told them. That is an important consideration.

It is vital that this Government—of all Governments —are made to listen to what the civil service has to say about market testing and privatisation. It sometimes strikes me that some Ministers are completely unaware of the effect that market testing, privatisation and contracting out are having on the civil service. Some time ago, a copy of the Cabinet Office Efficiency Unit report was leaked to the *Financial Times*; it indicated that, last year, the Government spent some £565 million on bringing outside consultants into the civil service in the search for savings. The report suggested that that £565 million secured only £10 million of savings to the public purse.

My hon. Friend the Member for Oldham, West (Mr. Meacher) raised the matter with the Chancellor of the Duchy of Lancaster on 9 May, and the right hon. Gentleman replied by saying that my hon. Friend was "completely confused". He continued:

> "The annualised cost of consultants is probably about £1 million. The total cost of consultants is about £10 million."—[*Official Report*, 9 May 1994; Vol. 243, c. 15.]

I have a copy of the emerging findings of the multi-departmental scrutiny of the Government's use of external consultants, dated March 1994. Paragraph 5 of the introduction says:

> "In 1992-93 Departments and Agencies spent around £565 million on external consultants".

Who has it right? Is the Cabinet Office's Efficiency Unit right in saying that £565 million was spent in a single year, or did the Chancellor have it right when he said that the annualised cost was about £1 million and the total cost just £10 million? They cannot both be right—somebody has to be wrong.

As the Chancellor is a very honourable Member of the House, and would not dare to tell lies to the House, it seems that he simply does not know what is going on in the civil service or what the impact of market testing and privatisation has been. The amount spent by the Government on consultancies, for example, seems to have escaped his notice completely.

I sought to find a solution to the problem by asking the Prime Minister when the Government intended to publish the Efficiency Unit report so that the House could make a judgment on who was right. I was told:

> "The final report of the Efficiency Unit's scrutiny on the Government's use of external consultants will be completed shortly. It is the normal practice for Efficiency Unit's reports to be published. A decision on publishing the report will be made when the final report has been received."—[*Official Report*, 16 May 1994; Vol. 243, c. *306*.]

In other words, the parliamentary route to finding out what is going on in the market-testing process has been blocked off. The answer was that the Government have not even made up their mind to publish the Efficiency Unit report which has been produced by the Cabinet Office. Whether or not the report is published in the future will depend on the nature of the report, and I find that completely unacceptable.

When I telephoned the Chancellor's office, I was informed that it is normal for all efficiency scrutinies to be published in due course. Yet here we have an answer from the Prime Minister saying that the decision on whether or not to publish has not been arrived at by the Government. We can be fairly confident that the report will not be published before 9 June, and we can be equally confident that it will not be published before the Bill winds its way through its various parliamentary stages. We suspect that it may never be published because it may be too damning of the whole market-testing and contracting-out process on which the Government have embarked.

It is vital that the Government are forced to talk to the civil service and to provide it with the kind of information that it requires so that it can give its views of what impact the process is having. It is important to keep in mind the context in which this debate is taking place. It is not just a question of market testing: it is a question of seeing how public money can be spent most efficiently and whether the in-house bid is as efficient as the tender that has come from the private sector. If that were happening, there would be a different argument, but in numerous speeches outside the House, Minister after Minister has made it absolutely clear that the Government have a test called the "prior options" test which must be applied to every single departmental activity in the civil service.

The question that must be asked before any other is whether or not the activity has to be carried out at all. Can it be abolished? If the answer to that is no, the second question is asked: can it be privatised directly and given straight to the private sector without any competition? If the answer to that is no, the third question is: can it be contracted out directly to the private sector? Only if the answer to the third question is no do the the Government ask: can it be market-tested; can the in-house bid be tested against the external tenders?

It is clear that the Government intend to come up with a kind of final solution for the civil service—a "year zero" for the state as we have known it since 1945. They want to reduce the present civil service from around 550,000 people to a core of just 50,000, with everyone else who currently works in the public sector being contracted out to the private sector or directly privatised into the private sector. That is the Government's aim; that is what they are all about.

Against that background, we must ask whether the Government have any idea of the effect that their policy is having on the civil service. I have a copy of a letter sent by the Council of Civil Service Unions to the Minister responsible for the civil service, referring to a meeting the CCSU held with him to discuss the process of market testing in the civil service. It points out a whole series of problems that civil servants have identified and which the Government should take on board. It points out the danger of loss-leader bids, in which a bid comes in from the private sector which is well below anything that the in-house team could produce to win the contract. However, once the contract is up for renewal three, five or 10 years later, the contractor can put any kind of demand that it wants against the public sector and the taxpayer has to pay.

The letter also makes a point about the collapse of morale in the civil service, to which my hon. Friend the Member for Norwich, South (Mr. Garrett) referred. People are living in fear for their jobs and for the conditions which they have secured during many years inside the public sector. The market-testing process is undermining the position that those in the public sector enjoy at the moment. That will not add to the efficiency of the civil service, as any reasonable person would quickly understand.

The letter further draws attention to a series of other problems, including the fact that in-house bids—including bids within the Inland Revenue—have been stopped by civil servants themselves. No satisfactory answer has been given to questions about the confidentiality and privacy of tax records. These are public issues, and if we cannot get access to the answers in the House, at least the civil servants should get access through a consultation process that allows them to talk to Ministers about the impact of the Government's policies.

The letter even talks about something which may be news to many hon. Members. When dealing with what are called new green-field sites—if a Department opens up a new office on a completely new site anywhere in Britain—there is no question of the in-house bid being allowed by the Government to win the contract. The contract for the new green-field site must come from the private sector.

One of the final points in the letter may come as a complete shock to many Conservative Members. An example is given of an in-house bid, for the issue of special vehicle registration marks, which was £2 million cheaper than a bid from a contractor; although the contractor's bid was £2 million dearer than the in-house bid from the civil service the Government gave the contract to the private sector.

Those scandals and disgraces should not be tolerated by the House. Yet they are being tolerated because of the process that is going on behind the scenes—an attempt to wreck the civil service and privatise it as far as it can be privatised.

The hon. Member for Ludlow (Mr. Gill) was worried earlier about the weight of laws passed by the House and said that so much statute was a burden on business, making it impossible for businesses to operate efficiently in the marketplace. He drew a distinction between laws that are desirable and laws that are necessary. The implication was that Conservative Members want only laws that are absolutely necessary. They do not want laws that may be desirable—however good they may be—including laws to provide civil rights for people with disabilities. Conservative Members may mouth support for such rights, but when it comes to the reality of going through the Lobby to support them and put them on the statute book, they do nothing about it.

7.30 pm

It is absolutely desirable and necessary to end the scandal of low pay in the civil service. Its employees do not merely number the mandarins at the top, earning £350,000; they include people on some of the lowest wages paid in this country.

Earlier this month my union, the National Union of Civil and Public Servants, for which I act as a parliamentary consultant, and the Low Pay Unit issued a report entitled "Northern Exposure: Poverty Pay in the North", which pointed out that the average household in the north had £36 less per week to spend than the average British household, and that more than one third of those working full time in the north earned less than the Council of Europe's decency threshold.

The report also pointed out that it had discovered in a study of civil servants working in the Department of Social Security—cleaners, whose work had been contracted out as part of the process on which the Government are so keen—that staff numbers had had to be reduced by almost a third although the work remained the same and pay for the contract was cut from £3.78 an hour to £2.60. The cleaners also lost pensions, holiday entitlement and sick pay.

We must protect such workers by introducing a national minimum wage. I believe that; so do all Opposition Members and perhaps even some Conservative Members. A majority of the people outside this House definitely support that sort of legislation, but we cannot achieve it because the Government can railroad through anything, tell us anything and deny us information because of their majority. We cannot get access to the facts about what is going on in the real world and in the civil service outside this place.

The amendments are vital. At least if the Government were obliged to talk to civil servants and civil service trade unions and to pay heed to what the latter told them we might have some protection and might at least be able to maintain a stable position until the next general election and the election of a Labour Government, which is the best hope for the civil service and for everyone else in this country.

Mr. Nigel Spearing (Newham, South): I think that my hon. Friends have pointed out the dangers to public servants in this part of the Bill. I suggest that a much greater danger exists, but it is surely to the Government's advantage to treat their employees—public servants—reasonably and decently if they want to achieve their objective. We might not like those objectives and nor might those who must carry them out, but it would surely be to the Government's advantage to do it decently. My hon. Friends have shown that, for some reason that I cannot fathom, the Government are not doing so.

Before mentioning the constitutional aspects at the heart of amendment No. 93, which is in my name, can the Under-Secretary of State for Corporate Affairs explain now, or when he replies, Government amendments Nos. 101 and 102? I am not sure whether he moved them formally or decided not to move them at all. Irrespective of that, I do not understand amendment No. 101, which is on the Order Paper as:

> "Page 51, line 31 [*Clause 59*], after, 'by' insert 'subsection (1A) or'."

[Mr. Nigel Spearing]

Clause 59(1)(c), in line 31, states:

> "which is not excluded by section 61 below."

The amendment would mean that it would read, "which is not excluded by subsection (1A) or section 61", but I cannot find a subsection (1A) in that clause, nor can I find one in clause 61.

Perhaps, after some reflection, the Minister will tell me whether I have got it wrong, whether something in the printing is wrong or whether he has got it wrong—perhaps all three of us have. As parliamentarians, that is the sort of thing that we are supposed to do at this stage.

Government amendment No. 102 seems to limit what might have been an overgeared power. At the end of clause 59—I have got my answer as I now see that that amendment adds the new subsection (1A). The amendment limits the Minister's powers. I apologise for not having understood, but I want to know whether the amendment has been moved. If it has, why did not the Minister briefly address the House when we started this group? That would have been courteous. His comments would have appeared in the record at that point in the debate rather than in his reply, which he may make in a minute or two.

Mr. Neil Hamilton: I shall answer the hon. Gentleman immediately. I had understood that the lead amendment was not controversial. It was tabled in answer to criticisms by Opposition Members and others. As far as I am aware, no one is opposed to it. I shall refer to it in my winding-up speech.

Mr. Spearing: I am grateful to the Minister and I apologise to him and to the House for not understanding that amendment No. 101 is the lead amendment. Perhaps I am oversensitive on the subject, but these debates are not merely for the cognoscenti. Many of us have not had the privilege or the penance—I am not sure which it would be—of being a member of the Standing Committee, although we take a great interest in the matter.

Even if the Minister had only said, "I move paving amendment No. 101 and amendment No. 102, which fulfils an obligation" and so forth, there would have been three lines in *Hansard* and people who read it, rather than ploughing through the report of the Committee, would have been thoroughly in tune. I am sorry that he did not do so.

I shall now go through a sequence of my thoughts on my amendment No. 93 and I want the Minister to comment on the accuracy and reasonableness of what I have to say in his reply. Part II of the Bill, which is entitled "Contracting out", will cause as much difficulty as part I and clause 4, which we are no longer discussing.

This part of the Bill will contract out functions, not merely activities, to private organisations, the Benefits Agency, the Roads Agency or any local authority agency. As I understand it, those can include functions that the Minister would perform through statutory instruments, under statute, directly or indirectly. This part of the Bill will allow those who undertake the activities to fulfil the Minister's functions or those of his civil servants and will include

> "employees of, such person . . . as may be authorised in that behalf by the office-holder or Minister whose function it is."

The functions are legal and go beyond the Minister to the office holder and, in effect, to the contractor. In other words, there will be a cascade of authority—authority to authorise this, choose that and contract for the other. Those authorised will carry out an administrative function that is largely carried out by named civil servants in Ministries, who are designated by Ministers or Secretaries of State for the purpose.

Civil servants carry much authority. That has arisen since the great reforms of 1906 and the 1920s. At that time there were no appeal tribunals for this, that and the other—social security, pensions and, one hopes, all those independent bodies set up to check civil servants' administrative decisions. In about 1930 a great book was written on the subject by Lord Hewart, entitled "The New Despotism", which illustrated the danger of what we have come to call administrative law. I refer not to statute law but to statutory instruments, which allow Ministers and their named persons to arrive at big decisions—

Mr. Garrett: By royal prerogative.

Mr. Spearing: My hon. Friend is right.

Since that time, life has become more complicated and ever more regulations have been issued. The power and effect of these decisions have escalated in line with that complexity.

This Bill extends the process one more stage. Decisions are passed from the Minister to the man in the bowler hat in Whitehall—he may sometimes be despised, although more often than not he is trying to do a good job for the public—and thence to the people who will be the employees of the person to whom these functions are designated.

Clause 59(2) reads:

> "If a Minister by order so provides, a function to which this section applies may be exercised by, or by employees of, such person (if any) as may be authorised in that behalf by the office-holder or Minister whose function it is."

That jargon represents a cascade of authority which will be given by statutory instrument—yet Conservative Members claim not to like regulations.

Under this Conservative Administration, such regulations will be exercised not just by local authorities, which are at least accountable to the electorate, but by quangos: by vast numbers of quangos. The weekend press pointed out the great dangers in that. There are now more appointees to the quangos that will operate all these regulations than there are elected councillors. The mind boggles to think of the huge numbers of people who, if we give the Bill a Third Reading tonight, will operate whole areas of administrative law which used to be the subject of accountability to the House and to the Select Committees, which can summon civil servants.

Those centres of authority will, I predict, multiply to an extraordinary extent. If that is untrue, let the Minister tell me so. As I read it, clause 59 has that sole purpose in mind. No wonder my hon. Friends, who know a great deal about our public services, have asked the Government merely to consult those who will play a role in the chain of arbitrary administrative authority. The Government should at least listen to them because that might be to their own advantage.

What will be the effect on the public of the decisions made by those who are given this new authority? The Government have had a foretaste of that, in the form of the Child Support Agency—an attempt to save money by imposing arbitrary judicial machinery on human beings who just did not fit it. I suspect that the agency does not even save the Government money.

Why do not the Government understand that this cascade of authority will not bring about what they want? The CSA was a glaring example of what can go wrong. My hon. Friends' amendment asked the Government to consult some of the people in the middle of the chain; my amendment, which I hope the Government will at least consider, goes a step further. Clause 59(3) states:

> "A Minister shall not make an order under this section in relation to an office-holder without first consulting him."

What about the employees of the office-holder, or the contractor? I therefore want the Government to add the following to the Bill:

> "and informing those bodies or persons likely in his opinion to be affected by any extension of these functions, and any representative organisation of such bodies or persons as the Minister may consider appropriate".

This is not to say that the Minister has to take any notice of the consultations. He may only say, "We have told you what you are going to do. You've got three months' notice. Prepare yourselves to do it." That of course is consultation at its worst, but consultations can at least enable the Government to do more effectively what they wanted to do in the first place.

We must remember the public, on whom these arbitrary decisions may rain down like confetti. Authoritarian and semi-authoritarian quangos, which the Minister is to set up, will issue more and more regulations.

7.45 pm

I foresee a growth of authoritarianism in this country the like of which we would not have contemplated even five years ago. It will not come in the form of people marching through the streets of east London or anywhere else. It will not come from the House of Lords, with Black Rod marching down and banging on the door. It will come with Ministers slipping into the Chamber while hardly anyone is in there to put through convoluted Bills giving them authority to do heaven knows what. Unless the Minister can persuade me otherwise, that will remain the danger.

Mr. Miller: I want to discuss the effect of this legislation on Government scientific laboratories and on the people who work in them.

It is outrageous that people who work as Government scientists should be expected to take a vow of silence on matters affecting not just their livelihoods—it is only understandable that they would want to discuss the pressures involved—but on the scientific implications of the changes that the Government envisage.

I recently spoke to a scientist from the Medical Research Council about an aspect of his work. He told me he could discuss it only so far and no further. It is quite wrong that a senior scientist, with knowledge of vital interest to all hon. Members about work of great value that he is undertaking on behalf of the Department of Health, should not be allowed to discuss his concerns for the structure of scientific research.

This Bill is being driven through by three Ministers: one of them a lawyer, one a grocer and one a car salesman. I make no comment on those three professions, but I will say that none of the Ministers is a scientist. I repeat that it is outrageous that those who are scientists cannot speak to Members of the House about matters that directly affect them.

At stake in the debate are the interests of the public versus the interests of the private sector. The interests of the public are best served by inquiring into how the research can best be carried out. My hon. Friend the Member for Dundee, East (Mr. McAllion) has told the House in some detail about the sort of processes being developed by the Efficiency Unit. The first report by that unit dealing with Government science laboratories covered a host of areas. It gave a list of other areas to look at in the future, but the one question that it did not pose was the basic one of how Great Britain plc should undertake this work in the best interests of its citizens. When science is driven by such ideology, we shall not get results that are in the best interests of our citizens.

My hon. Friend the Member for Norwich, South (Mr. Garrett) spoke about Warren Spring Laboratory and the hon. Member for Eltham (Mr. Bottomley) and I both spoke about the Road Research Laboratory. There is at least some cross-party agreement, although I suspect not by the Minister, about the need to maintain that laboratory in the current structures.

No Opposition Member suggests that such laboratories should stand still for ever and a day and never change. In some cases, incremental change has taken place and laboratories have moved from the public to the private sector in a structured and organised way that was in the best interests of the science that was being undertaken. Perhaps the best example of that is the Camden food research laboratory in Chipping Camden. When that was established just after the first world war, it was wholly Government-owned, but it is now a private sector institution that works in a structured way for about 650 member companies and many Government Departments. That transition took place in a way that was in the interests of the science that was being undertaken.

The Government's approach is driven by an ideology and it is bound to fail the interests of science. As I have said, nobody in the Opposition believes that everything must stand still, but we want changes that are in the best interests of the nation. Against that background, I urge the House to support our amendments.

Dr. Wright: In Committee, we asked the Government to improve the contracting-out part of the Bill to make it more satisfactory in terms of the general scrutiny and accountability to which it relates. We had two main requests. First, we asked the Government to include in the Bill those functions of the state that the Government did not think were appropriate to contract out at all. All previous legislation on contracting out has sought to go down that road and specifically to exclude issues relating to policy matters, strategy matters or matters involving a substantial amount of discretion.

This is an extremely important issue because it turns on what we think the state should properly do. The Minister may say that only a permissive power is being claimed, but that is not an adequate answer to my question. We must have a view of what it is appropriate, even in a permissive sense, to contract out because it goes to the very centre of what we think the public sector is all about. That is a question of some moment, but the Government have refused to contemplate it. The Government are taking to themselves a blanket permissive power.

We tried a second tack. We asked the Government to apply at least the same kind of scrutiny machinery that they propose in chapter 1 of the Bill to the contracting-out procedures that are proposed in this part of the Bill. That would have built in at least some kind of safeguard so that a Committee of the House could determine whether the

[Dr. Wright]

powers of contracting out that are being claimed by Ministers were permissible. Again, the Government refused to accept our proposal.

That brings us to our amendments. The Government are being asked to incorporate at least the kind of consultative mechanisms that are enshrined in the procedures relating to chapter 1. It is a modest, tepid demand. It merely asks for consultation to be built into the procedures. The issue is whether this Parliament has now become so supine that it will happily be overruled by the Government yet again and not even be prepared to take on board the notion of building in a consultative procedure. My conclusion, I am sorry to say, is that Parliament is probably so supine and will therefore probably reject this proposition.

Ms Glenda Jackson (Hampstead and Highgate): My hon. Friend the Member for Newham, South (Mr. Spearing) spoke of the grave constitutional danger that will be inherent in the Bill of power cascading away from this place almost like confetti if our amendment is not accepted. The danger is that it would not be confetti that would be falling on the heads of the general public, but hail, and because of that it would be extremely dangerous.

My hon. Friends have said that outside bodies in whom the Government seem to place all their trust in terms of saving money for the taxpayer have significantly failed so to do. I understand that £565 million was paid in consultancy fees and that it saved the taxpayer precisely £10 million.

I am still somewhat bemused as to what the Government have in mind by putting these clauses in the Bill. Surely it cannot still be their malicious belief that everything in the public sector is bad and everything in the private sector good. Only today, the OECD published a list of management skills and, of the 22 countries defined, this country is at the bottom. Britain has the worst management skills, but it seems that the Government are rushing to destroy those skills and the public sector which has attracted great admiration throughout the world for the impartiality of the civil servants who engage in delivering policies to the public.

The essential part of any partnership, and that in essence is what we are discussing, is the ability of both sides to consult each other freely and openly. Our amendments would make that possible and would in no way damage what the Government are essentially attempting to do by way of the Bill, nine tenths of which I disagree with.

Mr. Neil Hamilton: A number of detailed points have been made in this interesting debate. I hope to be able to deal with all of them, but if I neglect to do so, I hope that Opposition Members will accept my writing to them and making the correspondence more widely available.

The Government's "Competing for Quality" programme has shown how the introduction of greater competition in the provision of public services has produced better value for money. It is not, as the hon. Member for Hampstead and Highgate (Ms Jackson) has just said, entirely about saving money. It is also about improving the quality of public services: we do not measure the gains simply in monetary terms.

Some parts of public service have been prevented from seeking these gains by barriers arising from the way in which certain statutes have been framed. The measures in part II will rectify that by overcoming, subject to essential safeguards, outdated legal restrictions that bear little relation to the needs of today. Clauses 59 and 60 are the mainstays of those provisions.

The obstacle addressed by those clauses is the general presumption in law against delegation of functions conferred by legislation on a Minister, office-holder or local authority.The law already makes exceptions to this presumption for civil servants, the so-called "Carltona" doctrine, local government officers and the staff of many office holders. Clauses 59 and 60 would merely provide for a simple extension of this principle to contractors in appropriate cases. As the hon. Member for Cannock and Burntwood (Dr. Wright) said, that matter was debated extensively, if not exhaustively, in Committee. The clauses would allow for the employment of contractors by Ministers, office-holders or local authorities in carrying out their statutory functions. Of course, before a Minister lays an order, each function will have to be carefully considered on its own merits to determine if it is appropriate for market testing or contracting out at any given time. The issues to be considered include the need for accountability; adequate protection of confidential information; the need, as appropriate, for impartiality; and the effect on the interests of third parties. There are strong safeguards on those points both in the Bill and in existing law.

The hon. Member for Newham, South (Mr. Spearing) asked why we were promoting amendments Nos. 101 and 102. We recognise that there is a question of constitutional principle in respect of officers of Parliament and judges and their independence of the Executive. In Committee, we moved an amendment that excluded parliamentary officers from the ambit of the Bill and now, as promised, we are tabling a further amendment to mark the constitutional separation of the judges from the Executive. The amendment marks a constitutional principle. I hope that the hon. Gentleman will accept it on that basis.

8 pm

On amendment No. 42, about which the hon. Member for Norwich, South (Mr. Garrett) spoke extensively, the Government view is that it would be inappropriate to specify a statutory requirement for consultation in the general sense. Departments and staff must have freedom to negotiate appropriate consultation arrangements to the benefit of both. The Government's guide to market testing offers guidance to Departments on that and states that managers should consult staff and their recognised trade union representatives during the market testing of an activity. Trade union sides should be consulted about individual market tests at the start of each test and at appropriate stages during the test. Consultations should allow sufficient time for that to be effective. That guidance and any existing departmental consultation arrangements are not changed by the provisions in the Bill.

The House will wish to know that, in addition, discussions are currently taking place with the Council of Civil Service Unions on an appropriate framework by which departmental and agency discussions on arrangements for consultation on the form that an order takes could be guided.

I now deal with amendment No. 93, which was tabled by the hon. Member for Newham, South. All functions would continue to be carried out as required in the relevant enactments. The Bill in no way permits an order made to change the nature of the statutory function that it would specify. It is misleading, therefore, to suggest that, through the employment of contractors, functions are somehow being extended. The functions remain the same. The only change is that Ministers and office-holders will now have the choice of whether to employ contractors or their own staff to discharge their functions, whereas at present they may employ only their own staff. The Government would remain fully responsible and accountable for the exercise of the function.

There also seems to be an assumption that people will be affected significantly by a change in who delivers the public services and activities. There is no reason to believe that the recipients of services undertaken by contractors would be adversely affected. Indeed, experience to date has shown how increased competition can deliver improvements in service in both quality and value for money.

Mr. Spearing: I am grateful to the Minister for that reply and also for his reasons for amendments Nos. 101 and 102. Although I agree that the function does not change, he has admitted that the person exercising it does, and that it may be more numerous. Clause 61 provides for a restriction where the liberty of the subject would be affected, but unless the subject is informed, how can any Minister tell that he will not in future be in dire trouble? Would not consultation with the public be a good thing?

Mr. Hamilton: The hon. Member for Cannock and Burntwood (Dr. Wright) provided the answer to that in his speech. It is a permissive power. Before any particular function is contracted out, there will have to be another debate in Parliament on the specific proposal that might come forward. If there are specific reasons why an individual function should not be contracted out, hon. Members will have the opportunity to advance their arguments.

I disagree with the whole tenor of the speeches of Opposition Members this evening, particularly that of the hon. Member for Dundee, East (Mr. McAllion), who spoke of morale in the civil service. I appreciate that, for many civil servants, market testing will change the way in which they do their jobs; some will find themselves with a new employer, and some may lose their jobs, although there is no presumption that that will be the case in any particular market test. Naturally, a change that entails those possibilities will cause anxiety—I fully understand that —but the civil service has no right to a monopoly on the services that it carries out.

In the private sector, the kind of uncertainties that we are talking about tonight have been far exceeded, particularly in recent recessionary times. We are talking about value for money for the taxpayer, and if this policy can achieve it, I believe that it is entirely justified. But, increasingly, civil servants will have to show that they are the best place to deliver a service. If they are providing the most effective service on offer, they will retain the work. It is simply part of the modern world that there can be no assumption of a job for life, whether in the public or, indeed, the private sector.

Mr. McAllion: How can the civil service be given the opportunity to market-test its skills against the private sector when the Government are applying the "prior options" test, which directly privatises or contracts out directly into the private sector without allowing in-house bids? How can those people get a chance to prove that they can do the job better and give better value for money?

Mr. Hamilton: We are talking about contracting out, not privatisation. The hon. Gentleman should reconsider his position, because we are talking about the interests of the taxpayer. We are all taxpayers. We all want to see Government functions carried out efficiently and cost-effectively. All that clauses 59 and 60 will provide us with is the mechanism to achieve that, which I should have thought would unite the House rather than divide it.

On that basis, I invite my hon. Friends to support the Government amendments and resist those of Opposition Members.

Amendment agreed to.

Amendment made: No. 102, in page 51, line 31, at end insert—

'(1A) A function is excluded from this section if its exercise would constitute the exercise of jurisdiction of any of the following, namely—

(a) an appeal or appellate committee of the House of Lords;
(b) the Judicial Committee of the Privy Council;
(c) any part of the Supreme Court;
(d) the Court of Session and the High Court of Justiciary; and
(e) a county court or, in Scotland, a sheriff court.'—[*Mr. Neil Hamilton.*]

Amendment proposed: No. 42, in page 51, line 36, leave out from

'section' to end of line 37 and insert—

'(a) in relation to any function of a Minister, without first consulting any officer exercising the function on behalf of the Minister and any organisation appearing to the Minister to be representative of such officers, or

(b) in relation to any function of an officer-holder, without first consulting him, any officer exercising the function on his behalf and any organisation appearing to the Minister to be representative of such officers.'.—[*Mr. Garrett.*]

Question put, That the amendment be made:—

The House divided: Ayes 229, Noes 279.

Division No. 253] **[8.05 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Enright, Derek
Evans, John *(St Helens N)*
Fatchett, Derek

Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wareing, Robert N
Watson, Mike
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Dennis Turner.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Bendall, Vivian
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*

Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Irvine Patnick.

Question accordingly negatived.

Clause 71

Repeals

Amendments made: No. 105, in page 59, line 34, leave out from 'Schedule' to end of line 35.

No. 106, in page 59, line 36, leave out from '(2)' to end of line 37.—[*Mr. Sainsbury.*]

Schedule 14

Repeals

Amendments made: No.107, in page 107, leave out lines 6 and 7.

No. 108, in page 110, leave out lines 23 to 25.

No. 109, in page 111, leave out lines 20 and 21.

No. 110, in page 111, leave out lines 33 to 35.—[*Mr. Sainsbury.*]

Clause 72

Short title, commencement and extent

Amendment made: No.92, in line 18, after '12,' insert '*[Controls on fund-raising for charitable institutions: exclusion of connected companies],* '—[*Mr. Sainsbury.*]

New schedule

Amendment made: No. 1—

'Schedule to be inserted in the Betting Gaming and Lotteries Act 1963 after Schedule 4

"SCHEDULE 4A

Rights of Betting Workers as Respects Sunday Working

General interpretation

1.—(1) In this Schedule, except where a contrary intention appears—

'the 1978 Act' means the Employment Protection (Consolidation) Act 1978,

'betting office' means a licensed betting office within the meaning of this Act,

'betting worker' means an employee who, under his contract of employment, is required to work in England and Wales at a track for a bookmaker or totalisator operator or in a betting office on a day on which betting transactions are effected at that track by or on behalf of that bookmaker or totalisator operator or at that betting office,

'bookmaker' has the meaning given in section 55(1) of this Act,

'the commencement date' means the day on which this Schedule comes into force,

'dismissal' has the same meaning as in Part V of the 1978 Act,

'notice period', in relation to an opting-out notice, has the meaning given by paragraph 6 below,

'opted-out', in relation to a betting worker, shall be construed in accordance with paragraph 5 below,

'opting-in notice' has the meaning given by paragraph 3(2) below,

'opting-out notice' has the meaning given by paragraph 4(3) below,

'protected', in relation to a betting worker, shall be construed in accordance with paragraphs 2 and 3 below,

'totalisator operator' means the Totalisator Board or any other person authorised to conduct pool betting business within the meaning of this Act,

'track' has the meaning given in section 55(1) of this Act.

(2) Subject to sub-paragraph (3) below, the following provisions of the 1978 Act—

section 151(1) and (2) (computation of period of continuous employment), and

section 153 (general interpretation),

shall have effect for the purposes of this Schedule as they have effect for the purposes of that Act.

(3) For the purposes of this Schedule, section 151(2) of the 1978 Act shall have effect with the omission of the words from 'but' onwards and Schedule 13 to that Act shall have effect with the following modifications—

(a) in paragraph 1 for the words 'paragraphs 3 to 12' there shall be substituted 'paragraph 4 or paragraphs 9 to 12',

(b) paragraph 3 and paragraphs 5 to 8 shall be omitted, and

(c) in paragraph 4 the words 'which normally involves employment for sixteen hours or more weekly' shall be omitted.

(4) Where section 56 of the 1978 Act (failure to permit women to return to work after childbirth treated as dismissal) applies to an employee who was employed as a betting worker under her contract of employment on the last day of her maternity leave period, she shall be treated for the purposes of this Schedule as if she had been employed as a betting worker on the day with effect from which she is treated as dismissed under that section.

Meaning of 'protected betting worker'

2.—(1) Subject to paragraph 3 below, a betting worker is to be regarded for the purposes of this Schedule as 'protected' if, and only if—

(a) on the day before the commencement date, he was employed as a betting worker,

(b) on that day, he was not employed to work only on Sunday,

(c) he has been continuously employed during the period beginning with that day and ending with the appropriate date, and

(d) throughout that period, or throughout every part of it during which his relations with his employer were governed by a contract of employment, he was a betting worker.

(2) In sub-paragraph (1)(c) above 'the appropriate date' means—

(a) in relation to paragraphs 7 and 8 below, the effective date of termination,

(b) in relation to paragraph 10 below, the date of the act or failure to act,

(c) in relation to sub-paragraph (2) or (3) of paragraph 12 below, the day on which the agreement is entered into,

(d) in relation to sub-paragraph (4) of that paragraph, the day on which the employee returns to work,

(e) in relation to paragraph 14 below, any time in relation to which the contract is to be enforced, and

(f) in relation to paragraph 15 below, the end of the period in respect of which the remuneration is paid or the benefit accrues.

(3) For the purposes of sub-paragraph (2)(a) above, 'the effective date of termination', in any case falling within paragraph 1(4) above, means the day with effect from which the employee is treated by section 56 of the 1978 Act as being dismissed.

(4) For the purposes of sub-paragraph (2)(b) above—

(a) where an act extends over a period, the "date of the act" means the first day of the period, and

(b) a deliberate failure to act shall be treated as done when it was decided on,

and in the absence of evidence establishing the contrary, an employer shall be taken to decide on a failure to act when he does an act inconsistent with doing the failed act or, if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the failed act if it was to be done.

(5) Where on the day before the commencement date an employee's relations with his employer have ceased to be governed by a contract of employment, he shall be regarded as satisfying the conditions in sub-paragraph (1)(a) and (b) above if—

(a) that day falls in a week which counts as a period of employment with that employer under paragraph 9 or 10 of Schedule 13 to the 1978 Act (absence from work because of sickness, pregnancy etc.) and

(b) on the last day before the commencement date on which his relations with his employer were governed by a contract of employment, the employee was a betting worker and was not employed to work only on Sunday.

3.—(1) A betting worker is not a protected betting worker if—

(a) on or after the commencement date, he has given his employer an opting-in notice, and

(b) after giving that notice, he has expressly agreed with his employer to work on Sunday or on a particular Sunday.

(2) In this Schedule "opting-in notice" means a written notice, signed and dated by the betting worker, in which the betting worker expressly states that he wishes to work on Sunday or that he does not object to Sunday working.

Notice of objection to Sunday working

4.—(1) This paragraph applies to any betting worker who, under his contract of employment—

(a) is or may be required to work on Sunday (whether or not as a result of previously giving an opting-in notice), but

(b) is not employed to work only on Sunday.

(2) A betting worker to whom this paragraph applies may at any time give his employer written notice, signed and dated by the betting worker, to the effect that the betting worker objects to Sunday working.

(3) In this Schedule 'opting-out notice' means a notice given under sub-paragraph (2) above by a betting worker to whom this paragraph applies.

Meaning of 'opted-out betting worker'

5.—(1) Subject to sub-paragraph (5) below, a betting worker is to be regarded for the purposes of this Schedule as 'opted-out' if, and only if—

(a) he has given his employer an opting-out notice,

(b) he has been continuously employed during the period beginning with the day on which the notice was given and ending with the appropriate date, and

(c) throughout that period, or throughout every part of it during which his relations with his employer were governed by a contract of employment, he was a betting worker.

(2) In sub-paragraph (1) above 'the appropriate date' means—

(a) in relation to paragraphs 7 and 8 below, the effective date of termination,

(b) in relation to paragraph 10 below, the date of the act or failure to act,

(c) in relation to sub-paragraph (2) or (3) of paragraph 13 below, the day on which the agreement is entered into, and

(d) in relation to sub-paragraph (4) of that paragraph, the day on which the employee returns to work.

(3) For the purposes of sub-paragraph (2)(a) above, 'the effective date of termination', in any case falling within paragraph 1(4) above, means the day with effect from which the employee is treated by section 56 of the 1978 Act as being dismissed.

(4) For the purposes of sub-paragraph (2)(b) above—

(a) where an act extends over a period, the 'date of the Act' means the first day of the period, and

(b) a deliberate failure to act shall be treated as done when it was decided on,

and in the absence establishing the contrary, an employer shall be taken to decide on a failure to act when he does an act inconsistent with doing the failed act or, if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the failed act if it was to be done.

(5) A betting worker is not an opted-out betting worker if—

(a) after giving the opting-out notice concerned, he has given his employer an opting-in notice, and

(b) after giving that opting-in notice, he has expressly agreed with his employer to work on Sunday or on a particular Sunday.

Meaning of 'notice period'

6. In this Schedule 'notice period', in relation to an opted-out betting worker, means, subject to paragraph 11(2) below, the period of three months beginning with the day on which the opting-out notice concerned was given.

Right not be to be dismissed for refusing Sunday work

7.—(1) Subject to sub-paragraph (2) below, the dismissal of, a protected or opted-out betting worker by his employer shall be regarded for the purposes of Part V of the 1978 Act as unfair if the reason for it (or, if more than one, the principal reason) was that the betting worker refused, or proposed to refuse, to work on Sunday or on a particular Sunday.

(2) Sub-paragraph (1) above does not apply in relation to an opted-out betting worker where the reason (or principal reason) for the dismissal was that he refused, or proposed to refuse, to work on any Sunday or Sundays falling before the end of the notice period.

(3) The dismissal of a betting worker by his employer shall be regarded for the purposes of Part V of the 1978 Act as unfair if the reason for it (or, if more than one, the principal reason) was that the betting worker gave, or proposed to give, an opting-out notice to the employer.

(4) Section 142 of the 1978 Act (contracts for a fixed term) shall not exclude the application of section 54 of that Act (right of employee not to be unfairly dismissed) in relation to any dismissal which is unfair by virtue of sub-paragraph (1) or (3) above.

8.—(1) Where the reason or principal reason for the dismissal of a protected or opted-out betting worker was that he was redundant, but it is shown—

(a) that the circumstances constituting the redundancy applied equally to one or more other employees in the same undertaking who held positions similar to that held by him and who have not been dismissed by the employer, and

(b) that the reason (or, if more than one, the principal reason) for which he was selected for dismissal was that specified in paragraph 7(1) above,

then, for the purposes of Part V of the 1978 Act, the dismissal shall be regarded as unfair.

(2) Sub-paragraph (1) above does not apply in relation to an opted-out betting worker where the reason (or principal reason) for which he was selected for dismissal was that specified in paragraph 7(2) above.

(3) Where the reason or principal reason for the dismissal of a betting worker was that he was redundant, but it is shown—

(a) that the circumstances constituting the redundancy applied equally to one or more other employees in the same undertaking who held positions similar to that held by him and who have not been dismissed by the employer, and

(b) that the reason (or, if more than one, the principal reason) for which he was selected for dismissal was that specified in paragraph 7(3) above,

then, for the purposes of Part V of the 1978 Act, the dismissal shall be regarded as unfair.

Exclusion of section 64(1) of Employment Protection(Consolidation) Act 1978

9. Section 54 of the 1978 Act (right of employee not to be unfairly dismissed) shall apply to a dismissal regarded as unfair by virtue of paragraph 7 or 8 above regardless of the period for which the employee has been employed and of his age; and accordingly section 64(1) of that Act (which provides a qualifying period and an upper age limit) shall not apply to such a dismissal.

Right not to suffer detriment for refusing Sunday work

10.—(1) Subject to sub-paragraphs (2) and (4) below, a protected or opted-out betting worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that the betting worker refused, or proposed to refuse, to work on Sunday or on a particular Sunday.

(2) Sub-paragraph (1) above does not apply to anything done in relation to an opted-out betting worker on the grounds that he refused, or proposed to refuse, to work on any Sunday or Sundays falling before the end of the notice period.

(3) Subject to sub-paragraph (4) below, a betting worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that he gave, or proposed to give, an opting-out notice to his employer.

(4) Sub-paragraphs (1) and (3) above do not apply where the detriment in question amounts to dismissal.

(5) For the purposes of this paragraph a betting worker who does not work on Sunday or on a particular Sunday is not to be regarded as having been subjected to any detriment by

(a) any failure to pay remuneration in respect of betting work on a Sunday which he has done.

(b) any failure to provide him with any other benefit, where that failure results from the application, in relation to a Sunday on which the employee has not worked, of a contractual term under which the extent of that benefit varies according to the number of hours worked by the employee or the remuneration of the employee, or

(c) any failure to provide him with any work, remuneration or other benefit which by virtue of paragraph 14 or 15 below the employer is not obliged to provide.

(6) Where an employer offers to pay a sum specified in the offer to any one or more employees who are protected or opted-out betting workers or who, under their contracts of employment, are not obliged to work on Sunday, if they agree to work on Sunday or on a particular Sunday—

(a) and employee to whom the offer is not made is not to be regarded for the purposes of this paragraph as having been subjected to any detriment by any failure to make the offer to him or to pay him that sum, and

(b) an employee who does not accept the offer is not to be regarded for those purposes as having been subjected to any detriment by any failure to pay him that sum.

Employer's duty to give explanatory statement

11.—(1) Where a person becomes a betting worker to whom paragraph 4 above applies, his employer shall, before the end of the period of two months beginning with the day on which that person becomes such a betting worker, give him a written statement in the prescribed form.

(2) If—

(a) an employer fails to comply with sub-paragraph (1) above in relation to any betting worker, and

(b) the betting worker, on giving the employer an opting-out notice, becomes an opted-out betting worker,

paragraph 6 above shall have effect, in relation to the betting office worker, with the substitute for 'three months' of 'one month'.

(3) An employer shall not be regarded as failing to comply with sub-paragraph (1) above in any case where, before the end of the period referred to in that sub-paragraph, the betting worker has given him an opting-out notice.

(4) Subject to sub-paragraph (5) below, the prescribed form is as follows—

'STATUTORY RIGHTS IN RELATION TO SUNDAY BETTING WORK

You have become employed as a betting worker and are or can be required under your contract of employment to do the Sunday work your contract provides for.

However, if you wish, you can give a notice, as described in the next paragraph, to your employer and you will then have the right not to work on any Sunday once three months have passed from the date on which you gave the notice.

Your notice must—

be in writing;
be signed and dated by you;
say that you object to Sunday working.

for three months after you give the notice, your employer can still require you to do all the Sunday work your contract provides for. After the three month period has ended, you have the right to complain to an industrial tribunal if, because of your refusal to work on Sundays, your employer—

dismisses you, or
does something else detrimental to you, for example, failing to promote you.

Once you have the rights described, you can surrender them only by giving your employer a further notice, signed and dated by you, saying that you wish to work on Sunday or that you do not object to Sunday working and then agreeing with your employer to work on Sundays or on a particular Sunday.'

(5) The Secretary of State may by order amend the prescribed form set out in sub-paragraph (4) above.

(6) An order under sub-paragraph (5) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Effect of rights on contracts of employment

12.—(1) Any contract of employment under which a betting worker who satisfies the conditions in paragraph 2(1)(a) and (b) above was employed on the day before the commencement date is unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday on or after the commencement date, or
(b) requires the employer to provide the betting worker with work on Sunday on or after that date.

(2) Except as provided by sub-paragraph (3) below, any agreement entered into after the commencement date between a protected betting worker and his employer is unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday, or
(b) requires the employer to provide the betting worker with work on Sunday.

(3) Where, after giving an opting-in notice, a protected betting worker expressly agrees as mentioned in paragraph 3(1)(b) above (and so ceases to be protected), his contract of employment shall be taken to be varied to the extent necessary to give effect to the terms of the agreement.

(4) The reference in sub-paragraph (2) above to a protected betting worker includes a reference to an employee who, although not a protected betting worker for the purposes of that sub-paragraph at the time when the agreement is entered into, is a protected betting worker on the day on which she returns to work as mentioned in paragraph 10 of Schedule 13 of the 1978 Act (maternity).

13.—(1) Where a betting worker gives his employer an opting-out notice, the contract of employment under which he was employed immediately before he gave that notice becomes unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday after the end of the notice period, or
(b) requires the employer to provide the betting worker with work on Sunday after the end of that period.

(2) Except as provided by sub-paragraph (3) below, any agreement entered into between an opted-out betting worker and his employer is unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday after the end of the notice period, or
(b) requires the employer to provide the betting worker with work on Sunday after the end of that period.

(3) Where, after giving an opting-in notice, an opted-out betting worker expressly agrees as mentioned in paragraph 5(5)(b) above (and so ceases to be opted-out), his contract of employment shall be taken to be varied to the extent necessary to give effect to the terms of the agreement.

(4) The reference in sub-paragraph (2) above to a protected betting worker includes a reference to an employee who, although not a protected betting worker for the purposes of that sub-paragraph at the time when the agreement is entered into, is a protected betting worker on the day on which she returns to work as mentioned in paragraph 10 of Schedule 13 to the 1978 Act (maternity).

14. If—

(a) under the contract of employment under which a betting worker who satisfies the conditions in paragraph 2(1)(a) and (b) above was employed on the day before the commencement date, the employer is, or may be, required to provide him with work for a specified number of hours each week,
(b) under that contract, the betting worker was or might have been required to work on Sunday before the commencement date, and
(c) the betting worker has worked on Sunday in that employment (whether or not before the commencement date) but has, on or after the commencement date, ceased to do so,

then, so long as the betting worker remains a protected betting worker, that contract shall not be regarded as requiring the employer to provide him with work on weekdays in excess of the hours normally worked by the betting worker on weekdays before he ceased to work on Sunday.

15.—(1) If—

(a) under the contract of employment under which a betting worker who satisfies the conditions in paragraph 2(1)(a) and (b) above was employed on the day before the commencement date, the betting worker was or might have been required to work on Sunday before that date,
(b) the betting worker has worked on Sunday in that employment (whether or not before the commencement date) but has, on or after the commencement date, ceased to do so, and
(c) it is not apparent from the contract what part of the remuneration payable, or of any other benefit accruing, to the betting worker was intended to be attributable to work on Sunday, then, so long as the betting worker remains a protected betting worker, that contract shall be regarded as enabling the employer to reduce the amount of remuneration paid, or the extent of the other benefit provided, to the betting worker in respect of any period by the proportion which the hours of work which (apart from this Schedule) the betting worker could have been required to do on Sunday in the period (in this paragraph referred to as "the contractual Sunday hours") bears to the aggregate of those hours and the hours of work actually done by the betting worker in the period.

(2) Where, under the contract of employment, the hours of work actually done on weekdays in any period would be taken into account in determining the contractual Sunday hours, they shall be taken into account in determining the contractual Sunday hours for the purposes of sub-paragraph (1) above.

Proceedings for contravention of paragraph 10

16. Section 22B and 22C of the 1978 Act (which relate to proceedings brought by an employee on the ground that he has been subjected to a detriment in contravention of section 22A of that Act) shall have effect as if the reference in section 22B(1) to section 22A included a reference to paragraph 10 above.

Dismissal on grounds of assertion of statutory right

17. In section 60A of the 1978 Act (dismissal on grounds of assertion of statutory right), in subsection (4)(a), after sub-paragraph (ii) there shall be inserted "or (iii) Schedule 4A to the Betting, Gaming and Lotteries Act 1963".

Conciliation

18. In section 133 of the 1978 Act (general provisions as to conciliation offers) at the end of subsection (1) there shall be added—

"(f) arising out of a contravention, or alleged contravention, of paragraph 10 of Schedule 4A to the Betting, Gaming and Lotteries Act 1963".'—[*Mr. Paice.*]

New clause 3

DURATION AND EXPIRY OF CHAPTER 1 OF PART I

'.—(1) Chapter 1 of Part I of this Act shall expire with the end of the period of five years beginning with the date on which it came into force unless it is continued in force by an order under subsection (2) below.

(2) The Secretary of State may by order provide that Chapter 1 of Part I of this Act shall continue in force for a period not exceeding twelve months from the coming into operation of the order.

(3) No order under subsection (2) above shall be made unless—

(a) a draft of the order has been laid before Parliament together with a list of proposals to be made for orders under section 1 of this Act; and

(b) the draft has been approved by resolution of each House of Parliament.'.—*[Mr. Fatchett.]*

Brought up, and read the First time.

Mr. Fatchett: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to consider Government amendments Nos 97 to 100 and No. 24.

Mr. Fatchett: New clause 3 relates to what I consider to be the most important issues in the Bill. In many respects this is a strange Bill. The meat of the sandwich is the deregulatory measures that we have spent considerable time debating, but the outside of the sandwich includes provisions which cause me constitutional concerns on privatising and contracting out civil service functions. The other side of the sandwich relates to the new powers taken under the first four clauses—the so-called Henry VIII powers.

The new clause aims to limit those powers to a five-year period. We consider that to be unsatisfactory and second best. I made our position clear in the debate on the report of the Select Committee on Procedure. We object in principle to any Executive taking powers to repeal primary legislation by order. On that issue, a great divide exists between us and the Government. The new clause does not heal that divide, but in a sense reflects and builds on the current position. Sadly, we have lost the argument on principle.

This is an important constitutional issue and it is sad that fewer hon. Members are present than for debates on Sunday racing and Scottish off licences. The new clause relates closely to the powers of Members of Parliament, which in recent years have been substantially eroded. We should be jealous of our power to make Ministers of any political party accountable to the House. That is the principal point underpinning clauses 1 to 4 and it is reflected in new clause 3.

We oppose in principle the use of order-making powers to repeal primary legislation. Last Wednesday, the Leader of the House said that the Bill contained certain safeguards —that the powers can be used to deal only with what are called deregulatory orders and only in circumstances which satisfy the provisions of the first four clauses. He drew our attention in particular to the need to remove a burden and said that necessary protection should be given.

As members of the Committee who considered the Bill will know, those words have become the golden formula of the Bill. Unfortunately, however, they are not subject to any objective test to verify them and to ensure that the Bill will be used in particular circumstances. They are not scientific, but are the essence of political debate and controversy. It is crucial that we recognise that the mechanism in the first four clauses is dependent not on objectivity but on subjectivity and is therefore open to political debate and controversy.

Hon. Members have expressed different opinions about the nature of the burden of necessary protection in relation to health and safety at work, fire safety provision and continuous licensing for heavy goods vehicles and coaches. Such matters are the stuff of political debate. There is nothing wrong with that, but the stuff of political debate should be dealt with through normal procedures rather than through a mechanism which pretends towards objectivity.

During the debate on the Procedure Committee report, the impression was given that the deregulation process was an ongoing process—that it could last indefinitely or, to put it in objective and more accurate terms, for as long as the Government last. That is a strange intellectual concept. If the Government introduce legislation which does not pass their deregulatory test, something must be wrong with the legislation. The Minister laughs, but it is a crucial point. Why should mechanisms be built in at this stage to deal with failures that are recognised by the Government? That is unacceptable and an incoherent argument.

If the deregulation process is ongoing, the way in which the Government describe it becomes crucial. In Committee, we were told time and again that the proposals were modest and limited and that they would be small in number and limited in scope. If so, why do we need the special new procedures? If we will deal with only a handful of cases each year, many of which cause no controversy —like some of the provisions of the Bill, which were agreed after limited debate and without a Division—why do we need a special procedure? Is not the answer that an annual Deregulation (Miscellaneous Provisions) Bill can be introduced, which could be dealt with like any other Bill and on which substantial and quick progress could probably be made?

If the deregulation process is not limited in scope, the argument changes. If we are talking about a substantial number of deregulatory initiatives and about extensive deregulation that will bear down heavily on our constituents—consumers or employees—the argument for a special mechanism becomes weaker still because the Government cannot pretend that we are dealing with matter of fact issues. They are issues of substantial importance and they should be dealt with not through a back door process but clearly and openly and, where necessary, by primary legislation.

The nature of the powers suggests that we should not use the mechanisms in the first four clauses. The powers sought by the Government are either so extensive that the

[Mr. Fatchett]

first four clauses become increasingly worrying to those concerned about accountability, or they are not extensive, in which case we do not need them. The Government have never answered that conundrum and paradox in their position. Those powers are a substantial and worrying departure.

In Committee, Conservative Members did not seem to recognise the fact that Governments can change. Opposition Members have experienced that process often enough—and painfully—to know that Governments change and that in a long political cycle there are periods of opposition and periods of government. That being so, there is an even stronger case for saying that we should be conscious of the powers of this Chamber and of those of each Member of Parliament. It is our job, as part of this legislature, to make the Executive accountable.

It is not a question of whether deregulation legislation is introduced by a Conservative or Labour Administration; it is a question of the powers taken by one Executive, which will make Ministers less accountable for their actions. Conservatives should not regard this Bill simply as a Bill introduced by a Conservative Administration; they should regard it as a Bill that could come from any Administration which could then have powers to do things with which they do not agree, whether for ideological or other reasons. The test is what one would feel when in the minority—in opposition. Anyone in opposition would be worried about these new powers being granted to the Executive, and that must always be the test used by Members of Parliament.

8.30 pm

In moving clause 3, I recognise—as we often do—that we are arguing for second best. We are arguing for a measure that I would rather not see on the statute book. I would prefer the Bill to be without the first four clauses, but I am trying to find ways to limit the powers that they contain. Those powers could have been limited by subject —something that we attempted to do in relation to health and safety and other issues—but in this case we are limiting the powers by a period of time. I believe that within five years the deregulation initiative that the Government launched 18 months or so ago will have run its course. The arguments support that, so there is merit in the new clause on practical grounds.

We are debating a key constitutional issue. It is sad that we have been unable to arouse more interest in the Henry VIII powers granted under the first four clauses. When the history of our debates is examined at a later stage—if it ever is—our lack of interest in those powers will seem strange. We should have been much more concerned about the first four clauses of the Bill.

Mr. Richard Shepherd (Aldridge-Brownhills): There is something deeply destabilising about following the hon. Member for Leeds, Central (Mr. Fatchett) who, if I may say so, made a very conservative speech. I agree with him about the glories of some of our constitutional development. When I was a lad, there was a general and perhaps misconceived idea that one understood the law. We had a general view of the law; it seemed a much smaller thing, more contained and directed towards the objectives of society. We knew, by and large, what was right and what was wrong. We had a feeling for the law.

My hon. Friend the Member for South Hams (Mr. Steen) emphasised the sheer burden of the flood of legislation, administrative orders and delegated legislation. It is because of that flood that I no longer have any real feel for the law of the land which affects my conduct or that of my fellow citizens and constituents. One therefore understands the drift behind this Bill. Some Members of all parties believe that the House has over-regulated and over-legislated. We understand the Government's purpose in introducing the Bill but, although the new clauses are ameliorating, they do not alter the Bill's fundamental principle, as the hon. Member for Leeds, Central said.

The law is no longer a glass through which we look darkly in order to have a concept of the soul and purpose of public society. It is probably now a mirror of a very unsatisfactory human being such as myself who has heard the Minister responsible for deregulation say that when we —the Conservative party—first came into office there were about 300 pages of law per annum but that in 1991 we reached about 3,000 pages. There is no way in which an honourable citizen, mindful of his duties before the law, can have the remotest concept of what that means. We have seen the destructive impact on businesses but the question asked by members of the Opposition Front Bench, and by the hon. Member for Newham, South (Mr. Spearing) in the debate on the Procedure Committee's report, was why the powers are necessary. Why is there not an annual deregulation Bill to meet the challenges that face us? We have not received an answer.

In my time in the House of Commons, which is only —or as much as—15 years, I have reached the stage where I have no idea what the law is or, as often as not, where the balance of importance lies within the clauses that form the law. As I said, I am no longer able to advise my fellow citizens on the generality of where we stand before the law. I have seen the balance shift even further not only to Ministers but to what we call the Executive.

The hon. Member for Newham, South has made very valuable contributions to the argument. In many instances, we are talking about administrative law, which is the right of bureaucrats to make law that profoundly affects our lives. We are now giving them the power to unmake law, which may also profoundly affect our lives. Judgment depends on each instrument—some we shall think important and some we shall think unimportant. In the majority of cases, the House has a consensus. We therefore come back to the question: why can we not have an annual deregulation Bill?

How may I, as a Back Bencher who may not always find favour with the Committee of Selection, ever move an amendment to something which profoundly affects my constituents? There is no provision for amendment of that rule. I cannot put my case on the Floor of the House. By an administrative device, therefore—that is what I think of statutory instruments—we shall be governing England, Scotland and Wales as we have governed Ulster. The government of Ulster is unsatisfactory. I would not wish that fate on my fellow citizens. We should therefore take this issue very seriously. It is incumbent on the Government to consider why they are trying to tilt the balance further in favour of Executive power.

For many years, I have criticised the incessant drumbeat of guillotines. The folly implicit in them is that by driving legislation and regulation through unconsidered we have created the morass that now governs our lives. The Government's solution is to provide a mechanism by which we may "undrive" it through—if necessary, at a heroic pace. We may indeed unwind, almost at a stroke, many of what I would claim are the benefits of the legislation of the 1980s. An incoming Labour Government might delete some of our most cherished contributions to the development of public society.

In the debate on the Procedure Committee report, the hon. Member for Leeds, Central pledged that the Labour Government would unwind certain features of the Bill. I hope that every hon. Member of spirit will give a cheer. Like the hon. Gentleman, I hope that a benign Conservative Administration will not use the powers oppressively; I also hope that his own party's Administration—should it ever come about—would also honour that notion.

I now pick up a point raised by my hon. Friend the Member for South Hams, although I do not do so in a spirit of contention. A system which enables us to unwind legislation so rapidly shows how quick a thing legislation is. When I first became a Member of Parliament and someone came to argue about a scheme, I would suck on my teeth, draw in my breath and say that the majesty of the law is such that it would take time because society does not move rapidly. What I might have considered a good idea had to be weighed by my peers, fellow Members of Parliament and fellow citizens. All the stages of legislation —Second Reading, Committee stage and Report—enable the public at large to participate in matters which might have profound effects on their lives.

We should be wary of creating a device which allows us simply to make a law today. We all remember the famous Baker Bills which attempted to meet the disasters surrounding us—the Dangerous Dogs Act 1991 and the Football Spectators Bill. I am sure that we can all chant the laws that have so improved our lives and removed menaces. If we can so easily incorporate a law and so easily undo it, why are we talking only about 3,000 pages of law per Session? Why not have 6,000 pages of law? After all, what we do on Monday afternoon we can change on Tuesday, and by Thursday we may have yet another view on the matter.

This is the corruption of the majesty of law. If one has no regard or respect for the processes of law or for the instruments that issue forth from it, one undermines civil society. I would argue that one of the corruptions of my adult life is the general contempt in which law is held. I do not know what the law is. When I transgress, I no longer feel it as a transgression. Most of my fellow citizens are increasingly coming to the view that they can disregard the law. That is the crisis on our streets; that is the crisis in our homes.

Yet here we are providing an instrument to make laws on Mondays with guillotines and unmake them on Tuesdays by order after 60 days if they are contentious and after 40 days if they are non-contentious. The balance is shifting too far, not only from the Opposition to the Government but, more importantly to my purpose, from the House of Commons to the Executive. That is why we should punctuate the matter by saying that it is not right.

The ameliorating new clause has merit, but, as the hon. Member for Leeds, Central said, it is only a second best. The Government are meeting some of the observations made by the Select Committee on Procedure and have improved clause 4, but only marginally. The principle is important and it will not enable me to support the Bill.

Mr. Miller: It is a great pleasure to follow the hon. Member for Aldridge-Brownhills (Mr. Shepherd). His comments, which were reflected in some of the Committee debates, get to the root of the question. My hon. Friend the Member for Cannock and Burntwood (Dr. Wright) developed a similar theme in Committee. There is concern about the integrity of the House of Commons in the context of the Bill.

My remarks go one step further. There is concern outside this place about the integrity of the House of Commons. Some of the things said today, when reported outside, will give members of the public great cause for concern. I listened, for example, to the hon. Member for Brentford and Isleworth (Mr. Deva) who spoke about health and safety legislation and drew parallels with India. It is incredible that we should draw parallels between our regulations and those of a nation in which, in some parts, there are, regrettably, enormous numbers of deaths—way above the number in this country—from industrial accidents, and in which child labour is used.

The hon. Member for Chingford (Mr. Duncan Smith) referred to getting bureaucrats off the backs of the people. When one analyses what he was saying, one realises that he meant getting bureaucrats off the back of business. It is important that we should consider the Bill in the context of what it seeks to do and that we should not accept the contributions made by Conservative Members tonight in which they have sweepingly suggested that the Bill will liberate the people. It cannot liberate the people when the House of Commons, as an institution, is under threat. The Bill threatens the very roots of our democracy and that is why the new clause is important. It would at least ameliorate the worst excesses of the Bill.

I say with some confidence that a five-year period will not be relevant to the Conservative party because it will not be in power in five years' time. The hon. Member for Aldridge-Brownhills has referred to the comments made by my hon. Friend the Member for Leeds, Central (Mr. Fatchett) about the Select Committee on Procedure. We take a serious view of the challenge to our democracy and of the need to protect hon. Members from the excesses of the Executive.

8.45 pm

The integrity of the Government is at stake in the Bill. It is a pity that the Minister for Transport in London is not here on the Front Bench. He did not do himself or the House proud, as reported at column 874 of the *Official Report* of our proceedings in Committee on 12 April. In response to a point I raised, he said that it was okay for hon. Members to say one thing in the House and another thing in their constituencies. If they believe that that is an acceptable standard, it is an extraordinary position, and it illustrates the depths to which the Government have sunk.

Mr. Spearing: I was not a member of the Committee. My hon. Friend has told me something of considerable significance. First, can he give the reference? Secondly, does he agree that it is not just wrong for a Minister to say that, but wrong for any Member of Parliament, any member of the public and anybody who believes in democracy?

Mr. Miller: I am grateful to my hon. Friend for that intervention. The reference is column 874 of the Committee proceedings of 12 April. The Minister said:

[Mr. Miller]

> "If my hon. Friend the Member for Falmouth and Camborne has learnt that lesson after only two years in the House, I commend him. It will serve him well in the next 20 or 30 years in which he remains in this place."—[*Official Report, Standing Committee F*, 12 April 1994; c. 874.]

Such a comment undermines the integrity of this House. The Bill will be seen by members of the public as a further attempt by the Government to take powers that they have no moral right to take.

The balance between what is a "necessary protection" and what is a burden on business needs some careful definition. Despite numerous attempts in Committee, the Government refused to define the sectors that were incorporated in the phrase "necessary protection". They refused to say which of the many health and safety regulations were covered by the phrase. Is it all of them or none of them? I would be happy if the Minister for Industry could answer that point now. He is listening quietly and I am sure that he will respond in the wind-up.

Unless the Government can define exactly what they mean by "necessary protection", and unless they can be clear about what those words mean in the context of the burden on business, the only example we have is the example given late one night on the Floor of the House by the Under-Secretary of State for Schools. In an Adjournment debate on the Lyme bay tragedy, when my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson) argued the case for the regulation of outward bound centres, the Minister responded by saying that that would be a burden on business. That is the only example that the House has had placed before it in the context of the language used in the Bill. Unless the Minister can be absolutely specific—

Mr. Sainsbury *indicated dissent.*

Mr. Miller: He is shaking his head. I am looking forward to the intervention and the great list of examples. He is not going to give it, I am sure. Unless the Minister can be absolutely precise, the House needs the protection of the new clause. On that basis, I urge the House, with all sincerity, to take on board the point that has been made. The integrity of the House is at stake. The Minister is now thumbing through a book on red tape, which he will wave around, but he will not find in there any of the lists of regulations governing health and safety to which I have referred and he has yet to give, either in Committee or at any stage, a commitment that any of them will be incorporated. In fact, the only example that we have is of exactly the opposite. Whom do we trust? Whom do the people outside trust? We cannot trust this Administration on this point or on the Bill, so I urge the House to support the new clause.

Mr. Gary Waller (Keighley): Until the final words of the hon. Member for Ellesmere Port and Neston (Mr. Miller), I was going to say that I supported the consensus that seems to have developed during the debate. I should certainly like to congratulate the hon. Member for Leeds, Central (Mr. Fatchett) on the carefully argued and moderate way in which he advanced his case. There was little in his speech with which I could possibly disagree.

Like my hon. Friends, I warmly welcome the deregulation initiative. It is the motor that underpins the Bill and it is entirely welcome. However, that objective is not in itself sufficient to justify any means that may be used to support it. The new clause would set a time limit to the exercise by Ministers of the so-called Henry VIII clauses. In fact, it is somewhat misleading to describe them in that way. Certainly, a Parliament was asked to give Henry VIII powers to rule by proclamation that were much more untrammelled than anything in this context. Nevertheless, one adopts a time-honoured convention by describing such powers under that all-embracing title.

Such a provision, defined as one that enables primary legislation to be amended or repealed by subordinate legislation, with or without further parliamentary scrutiny, is not, of course, entirely new. Nevertheless, I suggest that such a provision has never been advanced in such a way before, even though the exercise of Henry VIII powers has been considered by Parliament on previous occasions. The committee on ministers' powers, otherwise known as the Donoughmore committee, considered that matter when it reported in 1932. It noted that the powers had been rarely used and that they had been used with the best possible motives. I am sure that, today, they are being advanced with the best possible motives again.

However, the committee also stated that the exercise of the power had not, in practice, given ground for complaint. That is an interesting observation and it may well be that there will be few complaints about the way in which the power may be exercised in future. Nevertheless, the possibility exists that the complaints may be extremely great and that they will worry us a great deal in future.

The committee stated:

> "The power has been asked for and granted but rarely and always subject to conditions limiting the period of its operation . . . Even with safeguards . . . it is clearly a power which in theory at any rate may be unscrupulously used."

It is not short-sighted to consider the theoretical way in which such powers may be used and one should not be assuaged by assurances about the benevolent motives that underpin them in practice.

A case has been advanced over the years for clauses such as this to be used in certain rather more limited ways. Indeed, their use has become increasingly common over the years. It has been recognised that there is a case for the powers to be used, for example, updating lists of threatened species in a schedule of protected wildlife, for upgrading monetary figures to take account of inflation or in respect of consequential and traditional provisions. However, here we will be giving power to amend any other Act of Parliament in the past or in future. I suggest that a general power to create or amend the law, even with limitations, is a power that should give us, as parliamentarians, pause for thought. We should at the very least set a time limit on its application.

As I initially said, the motives that underpin the provision are entirely honourable. Indeed, they are worthy of support. However, means should surely not justify ends and we should as parliamentarians always consider such means. In the past, constitutionalists have clearly made the point that such a power should not be used simply for convenience. Yet, as has already been clearly shown in the debate, there are alternative ways in which to achieve the Government's ends. It just so happens that this appears to be a rather convenient way in which to do it. It is a great mistake to rely on good intentions and those who have in the past relied on good intentions have often subsequently rued their words and their decisions.

I am also concerned because of the precedent that we are setting. It was something to which my right hon. Friend

Lord Simon of Glaisdale, a former Law Officer, referred in the other place, in a debate on what became the Children Act. He said:

> "If we pass this measure, it will be used as a precedent in other measures."—[*Official Report, House of Lords*, 6 February 1989; Vol. 503, c. 1362.]

I believe that those concerns were reasonable.

The concern here is that the powers that are implemented in the Bill could be used by future Governments in a way that we cannot foresee today. Looking further than that, there is also the possibility that a future Government could use this kind of provision as a precedent for yet further inroads into parliamentary democracy. I was very pleased to hear the hon. Member for Leeds, Central say that that was not the intention of his party and that it rejected that kind of approach to legislation.

It is a fact that most of the changes that are set out in the Bill do not cause too many concerns, even among organisations that are not favourably disposed towards the Government. There is concern, however, because of the perceived threat of undefined and indeterminate changes in future. That is the factor that causes anxiety. As has been said, there is no power to amend statutory instruments. That worries me. I accept that, in devising a special procedure, the Government have tried hard to overcome the objections to which I have referred. At the end of the day, however, it is the Government who will take the decision. There will be no power to amend the legislation that comes forward to replace legislation that has been repealed.

Mr. Spearing: Does the hon. Gentleman agree that the position is even worse than that? However long the committee may sit and however many questions it may ask, constitutionally, its opinion will be only advisory and in terms of the orders of the House.

Mr. Waller: Yes, I agree with the hon. Gentleman. It has been suggested, of course, that the Government would listen carefully to the opinions of the committee and that they would be extremely unlikely to reject the committee's considered views, but that is not good enough for me. I must reject the placing of untrammelled power into the hands of Ministers, of any Government.

9 pm

I agree that the conclusions of the Donoughmore committee all those years ago were restrictive. Indeed, they were too restrictive in their application to Ministers. I support its view, however, that a clause of the sort that is proposed should be time limited. The committee concluded:

> "The clause"—

a Henry VIII clause—

> "should always contain a maximum time limit of one year after which the powers should lapse. If in the event the time limit proves too short—which is unlikely—the Government should then come back to Parliament with a one clause Bill to extend it."

That seems to be close to the provision that is encompassed in the new clause. I agree, too, that the subjectivity of tests using words such as "protection" and "burdens" is objectionable.

I wish that I were able to give my full support to the Government in this instance. I have read carefully the report of the proceedings in Committee. I was anxious, if possible, to find a way in which I could support the Government, but I read in vain. I rarely oppose the Government on other issues and I hope that that very fact will in itself demonstrate the depth of my concern in relation to this one. I am sorry that there are few Members in the Chamber because when I have spoken to my colleagues I have found that many of them do not fully appreciate the effect of the provisions in the first part of the Bill. I believe that tonight there has been a general consensus on the matter. With regret, I find that there is no way that I am unable to support the new clause.

Mrs. Helen Jackson: Throughout our debates, I have had the uneasy feeling that there is something almost unconstitutional about the first four clauses. Yet, here we are debating the Bill, and we are part of the constitution. The four clauses have been described as Henry VIII clauses, and we know that Henry VIII was an arbitrary dictator fond of cutting off people's heads and of ruling by decree. The clauses have caused some of us to believe that we are being asked to act unconstitutionally. It might be better to describe the first four clauses as Charles I clauses. It is almost as if the king is trying to cut off his own head.

I know that that would be rather difficult, but it seems that Parliament is trying to cut its powers to decide what is or is not best in the public interest. I do not believe that, constitutionally, a Parliament can decide to act not in the public interest but in the interests—this has been clear throughout our consideration of the Bill—of one element of the public, financial business.

Earlier today, the hon. Member for Scarborough (Mr. Sykes) referred to a small care home for the elderly. He said that it was unfair for that business man, as he tried so hard to make money, with sweat pouring down his brow, to have the burden of complying with certain staffing regulations. I could not help thinking of the residents of that care home and to whom they could go, other than to their Member of Parliament, if they felt that they were not receiving adequate care.

If the interests are balanced out, I must inevitably come down on the side of the residents of that home in respect of the legislation that we may pass on their behalf rather than on the side of the efforts, which I accept may be genuine, of the person trying to make money by running that care home and that person's ability or otherwise to make that money.

I agree with the hon. Member for Aldridge-Brownhills (Mr. Shepherd) that legislation requires a continuous process of simplification. Regulations need amending as time moves on and we must find a way to achieve that. However, the Bill is not couched in such terms. The Bill prevents regulations from being amended in such a way that they may become more onerous on business. If new research on safety or the environment means that regulations have to be amended to protect the public more securely, the Bill precludes us in Parliament, and Ministers, from doing that. Parliament can act only in a way that makes legislation less onerous to business.

My final point should be challenged in a wider debate and I believe that that will happen over the next few weeks. I do not accept, and I do not believe that most Conservative Members accept, that the key element that holds back the profitability of British industry is the minor bureaucratic regulations with which industry must comply. The manufacturing sector in Sheffield does not cite that as the main reason for its problems in stimulating British industry and manufacturing. The Government have not introduced

[Mrs. Helen Jackson]

the Bill to solve that problem. The Government are abrogating responsibility, which I believe has rested quite correctly with Parliament for many hundreds of years.

Dr. Wright: At the tail end of debate on such a large Bill, it is difficult, particularly for those of us who have been associated with it in Committee, to remember the anger and outrage that we felt when the Bill first appeared. However, we should remember that if we are to obtain a measure of the enormity of what is being proposed and what Parliament is being asked to approve.

My hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) put it very nicely just now. She said that from the very moment Bill was first suggested, when it was a gleam in ministerial eyes, it had a nasty smell about it. The Government knew that and they knew that they had to build in a procedure so that Parliament could be persuaded that it would be all right. That process has been undertaken and we have reached that moment. However, we should remember that there are two crucial issues.

The first issue is that the Government are claiming a general order-making power, and the right to make legislation by order, of a kind that no Government have hitherto claimed. That is simply a matter of fact. We speak about Henry VIII clauses and it is quite true, as Conservative Members have said, that everyone who has considered those, from the Donoughmore committee in the 1930s right through to the recent Hansard study of the legislative process, has said that those are inherently undesirable clauses which should not be in Bills; they are only there for transitional purposes, consequential purposes and updating purposes. They should be at the margin, and they should stay there.

The Government are now saying that that is not the way in which they would like to proceed. They want to proceed by claiming for themselves a general power to legislate by order. The first question becomes, "Is Parliament willing to grant that power to Ministers?" That is the crucial question. It is being asked now by the Labour party of the Government, but it could be being asked the other way round. It is a question for Parliament. It is a question about our political and constitutional system, and Parliament must answer it tonight.

The second issue is that of the mechanism that the Government have offered Parliament to make the process all right—the scrutiny Committees. The Procedure Committee was sent away to examine that proposal and to come forward with a device. It has done so, but Parliament ought to understand what has happened before it votes this evening. I understand that there was largely non-co-operation from Labour members of the Procedure Committee as a result of their disapproval of the entire process, so the Committee was dominated by the Government.

The Procedure Committee made a set of proposals. It essentially said, "We are not satisfied with the safeguards that the Government are offering the House in relation to this claimed power" and it listed five essential safeguards that it wanted before it was prepared to give its imprimatur to the Government's proposals. Two of those safeguards have not been met. When I mentioned it to the Chairman of the Committee, he seemed surprised. I shall never forget the look of surprise on his face when he asked the Leader of the House, "Can this be true?"—and of course it is true that two of those safeguards have not been met.

One safeguard relates to the ability of the Committee, and therefore the House, to summon Ministers; a very important power. However, the key safeguard, the fundamental safeguard, is for a Committee of the House—the suggested scrutiny Committee, remember—a Committee with a Government majority, chaired by a member of the Government party, to claim the right to say whether it is appropriate to use the order-making power in relation to the proposals that the Government are making. That is the crucial issue. Is it appropriate to proceed by using order-making powers instead of primary legislation in relation to this proposal? That is the key issue for the Procedure Committee.

What do the Government say? I would ask all hon. Members, before they vote tonight, to read what the Government say. They essentially say, "We are interested in what you say; we shall take it"—the phrase is, "with the utmost seriousness"—"but we shall not accept it." There we have it. When the Procedure Committee reported, there were people around and outside who said, "This is a sensible report; the safeguards seem sensible; I am sure that we can go ahead on that basis." Some of us did not think so; nevertheless, that was what was said. The reality is that the Government have not accepted those proposals.

So what will happen tonight? This Parliament will give Ministers a general order-making power, and it will do so in a context in which the Government have not even been prepared to accept the safeguards of the House's own Procedure Committee. That is the issue. It is not for nothing that those powers are called Henry VIII powers, because if there is one golden, malevolent thread running through our constitution, it is the transfer of prerogative powers from the Crown, not to the House, not to Parliament, but to the Executive. That is the issue for us. It is revealing that a Government should have the arrogance to ask for such powers. It would be even more revealing if a Parliament—this Parliament—agreed to grant Ministers those powers.

9.15 pm

Mr. Sainsbury: The hon. Member for Leeds, Central (Mr. Fatchett) put forward his new clause as a constitutional issue. He argued in measured terms against the order-making power, saying that his argument was on principle. However, in so doing, he brushed aside the safeguards in the Bill and largely ignored the careful work of the Procedure Committee. He revealed the underlying reason for his new clause. He has no interest, and nor do his hon. Friends, in lifting burdens from business, charities or individuals.

The hon. Member for Leeds, Central asked why the order-making powers were needed. They are needed to facilitate the timely removal or reduction of burdens in primary legislation. This need will still exist in five, 10 or 15 years' time. What may not appear to be a burden now may become a substantial problem in the future. Markets, technologies—a whole range of circumstances—will change the nature of business in years to come. We need an effective mechanism to deal with those burdens, both now and in the future. For those reasons, we do not consider that any time limit is appropriate.

The new clause would undermine our objective in seeking the powers in clause 1. We have a rolling programme which will identify many more measures which would remove or reduce bureaucratic burdens without removing necessary protection, and would therefore be suitable candidates for use of the order-making power.

Moreover, circumstances change so that legislation that is necessary now may in the future no longer be needed to provide protection. We have seen how new technology can offer ways of providing legislative protection that are less burdensome. Computers have already led to substantial changes in record-keeping requirements.

Technological developments are bound to continue. For example, the further development of smart cards may mean that all sorts of detailed legislative requirements could become outdated. We, therefore, want a power to amend existing primary legislation to be available into the future. We see no need to limit the availability of the power. It should be available for any future Government to pursue the lifting of burdens without removing necessary protection.

Mr. Richard Shepherd: My right hon. Friend has not answered the question why an annual deregulation Bill or series of deregulation Bills could not meet the point. That would enable us to amend provisions that might be contentious. No one in the House disputes his canter round technological advances and the changing nature of society. We are agreed on that. That argument is almost redundant. We want to know why it is necessary for the Government to have extraordinary powers which contradict our constitution instead of a proper approach to the matter.

Mr. Sainsbury: First, I do not think that the powers are so extraordinary. Secondly, there are substantial safeguards. Thirdly, the very thing that my hon. Friend asks for would demand more legislative time. That is the problem that we are addressing.

The power in clause 1, which worries my hon. Friends the Members for Aldridge-Brownhills (Mr. Shepherd) and for Keighley (Mr. Waller), applies only to Acts currently on the statute book and those passed in the current Session. It is not untrammelled. There are limits on the use of the power in the Bill. We should also bear in mind the stringent safeguards and constraints on the use of the power included in the unique arrangements for scrutiny by special Committees. That scrutiny would be followed by the affirmative resolution procedure, which requires the positive approval of each House. Therefore, it would be debated in this House and no additional purpose could be served by some annual review of all the uses to which the power was to be put in the following year, or by requiring the power to be reviewed by the affirmative resolution every year.

Amendment No. 24 gives effect to an undertaking that we gave in the Standing Committee on 24 February, at column 232. It also follows up a recommendation made by the Procedure Committee during its inquiry. It would require a Minister bringing forward a proposal under the order-making power to report back to the House following a special scrutiny period, giving details of any further representation made during that period, subject to protection for information given in confidence, as well as any report or resolution of either House or their Committees. The statement would have to give details of any changes made to the proposals or as a result of such representations, resolutions or reports during the scrutiny period.

On amendments Nos. 97 to 100, my right hon. Friend the Lord President made clear during our debate on the Procedure Committee's helpful report that we have given very careful consideration to the views of the Procedure Committee. The Committee reached the view that, in a small minority of cases, the scrutiny period of 40 days provided by clause 4 would not be sufficient to allow the deregulation Committee to complete a proper scrutiny inquiry. The amendments give effect to the Committee's recommendations that, in such cases, the period for scrutiny should be extended to 60 days.

The Procedure Committee in another place has now also undertaken an inquiry into the arrangements for scrutinising deregulation orders. The Government will, of course, take careful account of the outcome of that inquiry and will propose any further amendments to the Bill that appear necessary in the light of it.

I, therefore, commend amendments Nos. 24 and 97 to 100 to the House and urge hon. Members to reject new clause 3.

Mr. Fatchett: I fear that there has been no meeting of minds on this issue during the debate; the same was true during the Standing Committee proceedings. The Opposition—and the hon. Members for Keighley (Mr. Waller) and for Aldridge-Brownhills (Mr. Shepherd)—see the issue as one of principle. The Minister regards it as a practical issue, and does not see beyond the means. We are concerned about the means and the ends, and also about the way in which the powers taken will subvert the role of this Chamber and of Members of Parliament, and will make the Executive less accountable.

That is the argument which we have made throughout. It has been a principled argument. It is, as the hon. Member for Aldridge-Brownhills said, a Conservative constitutional argument. I am not embarrassed by that, as sometimes the very simple constitutional principle of making the Executive accountable is worth defending and justifying. That has been the principal difference, and the Minister has failed to understand those principles and our concern about them. I was disappointed by the nature of his reply, but I was not surprised. Throughout, he has seen the matter as being totally practical.

I repeat the commitment given earlier: no incoming Labour Government will use the powers, because I think that the powers are an abuse of the House of Commons and give too much power to the Executive. For that reason, I ask my hon. Friends to support me in the Lobby and to support new clause 3.

Question put, That the clause be read a Second time:—

The House divided: Ayes 234, Noes 275.

Division No. 254] **[9.22 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John

Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald

Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Waller, Gary
Wareing, Robert N
Watson, Mike
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Alan Meale.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Bellingham, Henry
Bendall, Vivian
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ruclif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eleison, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward

Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Mark
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Walden, George
Walker, Bill *(N Tayside)*
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Andrew MacKay and
Mr. Bowen Wells.

Question accordingly negatived.

Clause 4

PARLIAMENTARY CONSIDERATION OF PROPOSALS

Amendments made: No. 97, in page 4, line 40, after 'means' insert '(a)'.

No. 98, in page 4, line 41, leave out 'is' and insert 'was'.

No. 99, in page 4, line 41, at end insert

'or

(b) if within the period referred to in paragraph (a) above a committee of either House reports that there are special reasons why it will be unable to complete its consideration of the document before the end of that period, the period of sixty days beginning on the day on which the document was so laid.'

No. 100, in page 4, line 42, leave out 'period of forty' and insert

'periods of forty and sixty'.

No. 24, in page 5, line 6, at end insert—

'(5) Together with a draft of an order laid before Parliament under section 1(4) above, the Minister concerned shall lay a statement giving details of—

(a) any representations, resolution or report falling within subsection (4) above; and

(b) the changes (if any) which, in the light of any such representations, resolution or report, the Minister has made to his proposals as contained in the document previously laid before Parliament under section 3(3) above.

(6) Subsection (5) of section 3 above shall apply in relation to the representations referred to in subsection (5)(a) above as it applies in relation to the representations referred to in subsection (4)(f) of that section.'—[*Mr. Arbuthnot.*]

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—[*Mr. Sainsbury.*]

9.36 pm

Mr. Spearing: For once, the Bill is an instrument that means what it says. Chapter I is a deregulation measure which is of disreputable constitutional origin and operation and part II deals with contracting out. Chapter I provides more power for the Executive and part II gives more power to the executives of the Executive. The Bill thus takes power from Parliament and transfers it to the prerogative of the Crown from which this place was formed to protect the people.

The Bill is one of the worst power-centralising measures that one can imagine. When the Government go to the country they claim that they are a decentralising force. Time and again, not only on the election box but even in the House, Ministers speak about decentralisation of power. But the Minister cannot claim that the Bill is anything other than an instrument for a great centralising of power to the Executive, especially in the context of clause 4.

People have said that clause 4 introduces the possibility of Henry VIII clauses which have been constitutionally dodgy because they give a Minister power to do anything —in emergencies, the Government claim—that he thinks necessary within the purposes of an Act. But clause 4 will

[Mr. Spearing]

allow any Minister to present a statutory instrument not just in the context of one Act but in the context of any Act named in the schedule to that instrument. That schedule could list five, 10 or 20 Acts—the number is unlimited.

Furthermore, in claiming to provide safeguards, the Government do not even accept the recommendations of the Committee that advised on them. They responded to the Select Committee as if that Committee was reporting to the Government rather than to the House. That betrays their arrogant attitude to Parliament and its Members and therefore to the public.

In taking powers to themselves the Government are taking power away not just from Parliament but from the people who sent us here. It is no wonder, as the hon. Member for Reigate (Sir G. Gardiner) said at the weekend, that voters are going on strike. The Government's maladministration and poor-quality legislation have brought that to pass.

In part I of the Bill, the Government are creating a new internal monarchy, which is a liaison between the garagistes, the quangoists and the superistes, the big business men, or the big people of capital, who are gaining power through their Government—a Government who do not have the guts to publish their accounts. If they do not do that, how do we know that the deregulation that will come from a Deregulation Panel that is stuffed full of people who are there for big business is not a closed circuit of finance and statutory power? Something new this century is going through the House without people understanding what is going on in chapter I.

Part II of the Bill is the opposite but constitutes an equally wrong and undemocratic process. Having done something to take the burdens away from more than one half of the country, the Government then impose new executive powers on people who cannot protect themselves. Part I does not provide a balance between burdens and human liberty. Oh, no: it is solely on one side of the political spectrum. And so, of course, is part II, because in its cascade of deregulatory power, it gives power to executives and quangos—people empowered by Ministers to exercise arbitrary power on their part, and, worse still, over their employees and contractors. In other words, it gives them powers that cannot be caught up with by Ministers—even if that were their wish—still less by hon. Members.

The disrepute into which the House and the Government who use these powers in future will fall will be great indeed. We ain't seen nothing yet in terms of the way in which the public look on politicians and powers. I see the Minister smiling at that. I do not find this a smiling matter at all. It is something that he will come to rue. Perhaps, in ignorance, he is taking the Bill through rather than resigning, because if he knew what was to come—or would come if the Government lasted—he would not be smiling at all.

We have here a new crown, but one which is hidden and which takes away powers from the House, from Conservative Members who are chatting and from the people who sent them here, not to vote for the Bill but to vote against the acquisition of executive power by officials in Whitehall. Years ago, members of the Conservative party used to talk about the men in bowler hats coming to tell people what to do. In part II of the Bill, lots of posts are created, but those in them are not necessarily visible in bowler hats. They will be going through the law courts and the quangos. They will be tying local government in knots so that it cannot do what it wants to do. That is the purpose of part II.

What we have in the Bill—today of all days, when a certain manifesto was published—is what some of us would call "the enemy without" in terms of democracy and self-government of the country. I tell the Government that they are now creating a new crown and a new enemy within.

9.43 pm

Dr. Wright: I think that there could have been consensus on the Bill. Indeed, I think that, in Committee, the spirit of my hon. Friend on the Front Bench, the Member for Leeds, Central (Mr. Fatchett), was a spirit of consensus. It would have been possible to build an alliance around sensible deregulation. There can be over-regulation. There can be under-regulation. There can be silly regulation. There can be sensible regulation. There could have been a partnership and a coalition in terms of removing unnecessary and burdensome regulations but maintaining proper protections. Unfortunately, because of the way in which the Government have chosen to proceed, that has not been possible. We have had to remind the Government consistently, as have some Conservative Members, that the source of much of the burden comes from their own legislation. It is worth pointing out, even at this late stage, that on average the present Government have produced 500 pages more in statutory instruments and public Acts than the last Labour Government—500 pages in terms of each, that is. Unfortunately, the Government have chosen to act in an improper and outrageous constitutional fashion, and that is the issue that is now at stake. The consensus has been broken, because the Government have claimed unlimited powers.

At one time, the Conservative party was the great custodian of what used to be called limited government. Now, in approving the Bill, it is becoming the custodian of unlimited government. In the 18th century, a great motion was passed; it is known as Dunning's motion:

> "The power of the Executive has increased, is increasing and ought to be diminished."

That is the kind of motion that the House should now be passing, rather than this contemptible Bill.

9.46 pm

Mr. Fatchett: The Opposition voted against the Bill on Second Reading, and nothing has happened in Committee or on Report to change our mind and show that our initial decision was incorrect. As my hon. Friend the Member for Cannock and Burntwood (Dr. Wright) has said, we have always favoured sensible deregulation: there was always a basis for potential consensus there. I have not met an hon. Member who is in favour of unnecessary regulation and unnecessary burdens. We object to the Bill on two basic grounds.

I share the concern of my hon. Friends the Members for Cannock and Burntwood and for Newham, South (Mr. Spearing), and that of all my colleagues who served on the Standing Committee, about the constitutional innovations in the Bill. We have just debated the Henry VIII powers, and I was delighted to observe some Conservative Members speaking and voting against the Government on that issue. Those executive powers, and the debate surrounding them, will not go away; they will remain an important feature of discussion of the Bill. Sadly, however, we have spent less time on another constitutional issue of equal importance.

The Government's ideological commitment to privatisation, market testing and contracting out obscures from them the real constitutional issues that underpin part II of the Bill. Again, we are discussing ministerial accountability. During my years as a member of the Opposition, I have seen an erosion of such accountability and of the powers of Members of Parliament. These are important issues—to me as a Member of Parliament, but also to my constituents and those of other hon. Members.

Nowadays, we write to Ministers and receive replies from civil servants or agencies—people who cannot be made accountable at the Dispatch Box. There has been a change in constitutional principles: certain civil servants, acting as chief executives on behalf of agencies or quangos, feel that they can enter into party political debate and controversy. That is a novel and dangerous departure in terms of the role of the civil service, and the Bill exacerbates the process.

That process was taken to its extreme in the run-up to the last general election, when Duncan Nichol, chief executive of the national health service, intervened directly to say that the Government's NHS reforms were working and Labour's policies would not work. It is dangerous for a civil servant to intervene in that way, because the line between administration and policy-making becomes extremely blurred. Let me say to all Conservative Members that we need to ensure that Ministers are the ones held accountable to the House of Commons, and that it is they who justify the decisions made in their name.

Time and again we ask questions, write letters and try to act on behalf of our constituents, only to find that the person who answers our letters is not the Minister but some civil servant or agency—or, in the future, some private sector employer. That is an argument not against the private sector but in favour of an impartial civil service, an impartial Administration and ministerial accountability. That is why we have been concerned throughout not only about the constitutional powers of the first four clauses but about the constitutional powers under part II.

Even at this late stage, I urge Conservative Members to think about the principles and the precedent that is being set, because they may come to regret the way in which they may be used.

We must be jealous of our powers. We must work to preserve and to safeguard them, but the Bill is designed to undermine them. We voted against the Bill on Second Reading, and our reasoned amendment clearly explained why we did so.

Little or nothing was changed in Committee. The Procedure Committee's report suggested how the scrutiny mechanism will apply to the first four clauses. My hon. Friends have argued powerfully and cogently that the Government did not even have the decency to accept the Procedure Committee's recommendations. Without that, the safeguards are limited, but we argue that it is impossible to safeguard against an unsafe principle.

A philosophy underpinned the Bill—a philosophy of deregulation. We know that it began at the Conservative party conference in 1992 when, in those immortal words, the Prime Minister said to the President of the Board of Trade, "Michael, get out your axe". He would not dare use those words today because they might have a different meaning.

We all recognise the need to get rid of unnecessary regulation. We know where the burden of that regulation has come from during the lifetime of this Government. As we said in Committee, and as those who read and participated in the Second Reading debate will know, an ideology underpins the Bill and it goes beyond getting rid of unnecessary burdens. Some Conservative Members strongly believe in a totally deregulated labour market and see that as Britain's future industrial policy. They want a labour market that provides not security but insecurity, and competition between individuals on the basis not of talents but of a willingness to take a job at the lowest possible wage, with the lowest possible protection. That is why it has been argued that there has been too great a shift in emphasis to employees, consumers and the general public. We do not accept those arguments—that is the distinctive ideological division between the Opposition and the Government.

We do not accept an industrial strategy and policy that is based on deregulation and that sees Britain pricing itself at the bottom end of the market. There is no future in such a perspective. It means that Britain has to push down its real wages to compete with South Korea, Taiwan and China. That should not be the future for a country that has a Government and people of ambition. We should be trying to compete on quality, skills and research and development and looking forward to the time when Britain has a quality market in the world. That is not the object of the Government's deregulation initiative and we reject their ideology. The Bill damages our constitution, and the industrial policy that it proposes is Victorian and outdated. Before too long, and with this Government, that policy and ideology will die. We reject the Bill.

9.53 pm

Mr. Sainsbury: The Bill is an important contribution to reducing burdens on industry and especially on small companies. It will help to improve the competitiveness of our economy, reduce unnecessary burdens on charities and individuals and remove important statutory obstacles to contracting out. We heard nothing about those matters from the hon. Member for Leeds, Central (Mr. Fatchett) or from his colleagues. We heard nothing on that subject from the Liberal Democrats—[HON. MEMBERS: "Where are they?"] Indeed, we heard nothing from the Liberal Democrat Benches during these important proceedings because they have been empty, which may say something about that party's attitude to deregulation and the importance of small businesses.

What we have heard from the Opposition is a parody of what is in the Bill. We have heard smears, threats, rumours and allegations about things which they say might be done but which will not be done. The Bill provides an order-making power to allow the amendment or repeal of outdated or unnecessarily burdensome legislation. For the first time, this mechanism will allow us to make useful deregulatory changes to particular legislation to reduce costs to business and others without having to wait for a place in the legislative programme.

The power is subject to substantial safeguards and constraints to ensure that it cannot be abused—another point ignored by the Opposition. It can be used only if the

[Mr. Sainsbury]

necessary protection is not removed. Consultation is required with those likely to be substantially affected, and detailed scrutiny will be possible by special parliamentary Committees.

Mr. Richard Burden (Birmingham, Northfield): Will the Minister give way?

Mr. Sainsbury: No. I hope that the hon. Gentleman will excuse me but there is not time.

The consultation required and the opportunity for special scrutiny Committees to take evidence means that any deregulation proposal may well receive more detailed consideration, inside and outside the House under the provisions of the Bill, than if it were introduced as a proposal for primary legislation.

The Opposition may not think that modest legislative changes are important, but saving millions of pounds for business by removing unnecessary legislation is something that we regard as important, as my hon. Friends have made clear. Even small savings for business will, cumulatively, make a real difference. We are determined that the competitiveness of our firms should not be unnecessarily impeded.

The Opposition claim that they are in favour of deregulation but their record and their continuing opposition to the Bill make a mockery of that claim. They always have been, and clearly remain, believers in bureaucracy.

The Bill contains a number of specific deregulation measures, such as the streamlining of some of the procedures of competition law and a reduction in the paperwork required for waste transfers. We have also agreed to new clauses relating to charities.

The removal of obstacles to the contracting out of statutory functions will facilitate the process of public sector reform. The Government's "Competing for Quality" programme has already shown how the introduction of greater competition in the provision of public services can result in substantial value-for-money gains. The citizens charter second report itemises savings of no less than £135 million from the programme, which can be expected to be made each year. However, some parts of the public service have until now been prevented from seeking those gains by barriers arising from the way in which certain statutes have been framed. The measures in part II, so derided by the hon. Member for Newham, South (Mr. Spearing), will rectify that by overcoming—subject to essential safeguards—outdated legal restrictions that bear little relation to the needs of today. Accountability to Parliament will remain unchanged, and safeguards are provided to ensure that confidential information is protected.

Parts I and II of the Bill are centred on our belief in competition. This Bill and the wider deregulation initiative will make an important contribution to our unremitting drive to improve Britain's competitiveness. Of course, our competitiveness depends on many factors but the one that is especially important for smaller businesses is the lifting of the burden of unnecessary regulation. The Opposition's approach betrays just how little importance they attach to that.

The competitiveness of our businesses is vital to our standard of living and our quality of life. As my hon. Friends have said, today and in earlier debates, coping with unnecessary burdens affects the competitiveness of our businesses and costs jobs. We will continue to strive for ever greater competitiveness. Our White Paper will be published tomorrow, setting out the way in which we intend to develop our competitiveness policies.

Consumer bodies have supported our proposals. Business has welcomed the Bill. It regards it as an important contribution to the drive to cut red tape. We, too, regard it as such. We value anything that lifts burdens from business without removing necessary protection; I only regret that the Opposition do not. I commend the Bill to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 291, Noes 242.

Division No. 255] **[9.59 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Bellingham, Henry
Bendall, Vivian
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*

Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wilshire, David
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Andrew Mitchell and
Mr. Bowen Wells.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lewis, Terry

Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wareing, Robert N
Watson, Mike
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Gordon McMaster and
Mr. Ray Powell.

Question accordingly agreed to.
Bill read the Third time, and passed.

Railway Pensions

10.15 pm

The Minister for Public Transport (Mr. Roger Freeman): I beg to move,

That the draft Railways Pension Scheme Order 1994, which was laid before this House on 10th May, be approved.

Madam Speaker: I understand that with this it will be convenient to discuss at the same time the following motion:

That the draft Railway Pensions (Protection and Designation of Schemes) Order 1994, which was laid before this House on 10th May, be approved.

Mr. Freeman: The House will recall that, during the final stages of the Railways Bill last year, I undertook that there would be further consultation with all interested parties before the orders implementing the detailed future railway pensions arrangements were laid before Parliament for approval.

The industry and the present trustees were fully involved in working out the detailed arrangements on which we went out to wider consultation on 31 March with the trustees, employers, trade unions and pensioners' representative bodies. We have taken account of their comments as far as possible and I wish to thank all those consulted for the clarity and promptness of their representations.

In particular, we have reached full agreement with the British Rail pension trustees on all major points of principle relating to railway pensions after privatisation. The arrangements that we have agreed honour the commitments given by the Government in Parliament and elsewhere. I can assure the House—

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will the Minister give way?

Mr. Freeman: If the hon. Lady will forgive me, I would like to finish my sentence.

I can assure the House that the pensions of all railwaymen and railwaywomen, both past and present, earned in their service with BR are safe, and that the future arrangements will give them security.

Mrs. Dunwoody: The Minister has just made a very definite statement. Is not it true that the trustees have not met and that any agreement that the Minister has reached has been because of the fiduciary duty of the chairman that there may be an agreement within a very narrow sense? However, it is not true that the Minister has reached complete agreement with the trustees.

Mr. Freeman: I do not believe that that is an accurate statement. The trustee board—that is, all the trustees—met on 5 May and agreed all points which had been negotiated except the treatment of the deficit and the surplus after deficit. However, all the trustees agreed a compromise proposal to put to the Government. We have agreed to that compromise, so I would argue that we have fully met our commitment to obtain agreement with the trustees.

Mr. Ieuan Wyn Jones (Ynys Môn): Since the Minister has referred to the surplus and the deficit, will he clarify the position in respect of the solvency guarantee? As I understand it, the Government will make good deficits in the years where they occur, but they will recoup that money in years when there are surpluses. Is that right?

Mr. Freeman: This is a complicated subject. If the hon. Gentleman will bear with me, I will explain the issue as clearly and as succinctly as I can. If the hon. Gentleman is not satisfied when I reach that part of my speech, I will give way.

Mr. Donald Anderson (Swansea, East): As I understand it, the Minister claims that there has been no difference of substance in respect of the proposals since the board of trustees met and agreed on 5 May. Is he aware that the trade unions feel a deep sense of grievance that they have not agreed the final package? There is therefore a considerable difference between what the Minister says tonight and what the unions say. We must remember that the pensions are of fundamental importance to trade union members. Surely it is important that the Minister ensures that the trade unions are fully consulted about and agree with the final proposals.

Mr. Freeman: I have had two separate rounds of meetings with all three railway unions. I believe that we have met all their substantive arguments and I shall discuss some of the issues later.

If there are specific drafting issues, but not points of principle—if the unions and their legal representatives feel that we have not reflected accurately in the final orders before us what they would wish—I give an assurance to the House that we will amend the legislation by subsequent orders for which the Government have to come back to the House, subsequent transfer orders and Transport Act 1980 orders. We will use those orders to amend in detail where there is agreement between the trade unions and their representatives and the Government—or the rules themselves can be changed. However, I assure the House that, following my lengthy meetings with the unions and their representatives, we have met all their arguments of substance.

Those are extremely difficult issues. Obviously, there will be an opportunity in another place for the orders to be debated yet again. Indeed, the Government will have to come back yet again with further orders during the summer. We are not seeking to bamboozle the unions—that is not possible. We are not seeking to railroad the issue through, if the hon. Member for Swansea, East (Mr. Anderson) will forgive the pun. We have pursued those negotiations. After all, we can only negotiate with the trustees. The consultation with the trade unions was in parallel with those negotiations but, I believe, carried out in good faith on both sides.

We have before us tonight the first two draft orders. Let me first discuss the draft Railway Pensions (Protection and Designation of Schemes) Order, which will give the promised statutory "no less favourable" protection to "protected persons"—broadly, people who were in service or retained benefits in the schemes on 5 November 1993—and incorporates in article 11 the "indefeasible right" to remain in equivalent, that is to say, "shared cost", sections of the joint industry scheme, which will be called the "Railways Pension Scheme", for so long as their employer remains a part of the railway industry. We have agreed to extend that right. That is a point that was argued forcefully, not only by the trustees, but by all three unions, so that it will not now be lost where employees change jobs voluntarily within the industry—an important concession that was argued for well during the consultations.

I should like to clarify two points about that order. First, with regard to the definition of "designated scheme" in article 1(2), the intent is to protect relevant pension rights at the date of the order, including the right to future accrual of such rights on a "no less favourable" basis. Secondly, there is an area of concern between my Department's and the trustees' lawyers about the precise drafting of paragraph (4) of article 7. Should it be agreed that an amendment is necessary in respect of that latter point, we shall make it when we make the transfer order—I intend to lay a draft of that order next month.

For the purposes of the "indefeasible right" that is conveyed by article 11, paragraph (4) of that article defines the "railway industry". The intent is that the term should comprise activities currently carried on by BR which may in the future be carried on by successors, but only to the extent that they are activities connected with, or provided for, the railway industry.

The order also designates the existing pension schemes to which it applies for the purpose of enabling their members or beneficiaries to be protected persons. A handful of BR employees retain membership of pension schemes operated by Associated British Ports and the National Freight Company. If we did not specify those schemes, those BR employees would not be given statutory protection. I emphasise that that is the sole reason why we are designating the ABP and NFC schemes. I give an assurance to the House that the Government have no intention of using the powers in relation to "existing schemes" contained in schedule 11 to the Railways Act 1993 to amend either of those schemes.

The Railways Pension Scheme Order formally establishes on 31 May 1994, under the powers provided in paragraph 2 of schedule 11 to the Railways Act 1993, the "Railways Pension Scheme", which, it is planned, will succeed the existing main BR schemes—that is to say, principally the BR pension scheme, the BRPS—on 1 October 1994. The order also appoints the Railways Pension Trustee Company Ltd. as the first trustee to the scheme, and designates the scheme as "the joint industry scheme" for the purposes of paragraph 8—that is to say the "indefeasible right" provisions—of schedule 11. The key provisions are in the schedule, which contains the pension trust and the different scheme section rules.

Existing BRPS pensioners and deferred pensioners will be transferred into the 1994 pensioners section of the RPS—the closed section. Initially, there will be two such sections. The reason for that is a practical one related to valuation of the Government's liabilities to them under the Transport Act 1980. Those people who were already pensioners and deferred pensioners at 31 March 1994 will join the "A" section, while those retiring or deferring their pensions between 1 April and 30 September will join the "B" section. The two sections will have similar rules, and will be amalgamated as soon as possible thereafter.

The Secretary of State will be under a duty to give a solvency guarantee to those sections. The guarantee will secure the continued payment of fully index-linked pensions. The proposed draft of the guarantee, the details of which have been agreed with the present trustees, was deposited in the Library last Friday. The members will have rights under the rules to share in any future surpluses in their fund. The rules are contained in appendix 1 to the schedule.

Distributed surpluses will be shared as follows: 40 per cent. to payment to pensioners, and 60 per cent. to a special reserve retained in the fund. The Government cannot

[Mr. Freeman]

withdraw those sums while the fund continues. The 40 per cent. and 60 per cent. mirror the existing ratio of distribution. Serving staff who are members of the BRPS will be transferred into the BR section of the RPS. They will move into their new employers' sections, which will have materially the same rules, affording them the security and continuity that they have sought, as their employment is transferred, for example, from BR to a franchised railway operating company.

The rules are contained in part 1 of appendix 2 to the schedule. They provide that pensionable service will normally be treated as continuous, even on voluntary transfers between the equivalent sections of participating employers, subject to Inland Revenue restrictions. The Railtrack and European Passenger Services sections will be set up almost immediately. The continuous service provisions ensure that those who move involuntarily or voluntarily within the industry will protect their length of service. So there is no penalty involved in the truncation of service.

Mr. Hugh Bayley (York): Will the Minister explain what he meant by the word "normally"? He said that there would normally be continuity of service. As things stand, anyone who is in the British Rail pensions schemes retains, year for year, each year of service. Are there are any circumstances in which an employee who moves from one company's to another company's employment, but who retains his membership of the scheme, would not receive year for year, month for month, day for day, the service previously accrued in the scheme?

Mr. Freeman: Yes, and it relates to the Inland Revenue laws. I have explained this to the unions. Where an individual moves and has a very substantial salary increase, there are restrictions on the number of continuous years that can be provided for his or her pension.

Mr. Bayley: As there is detriment in those cases, will the Minister explain how the scheme, as agreed now, matches up to the Government's commitment that there will be no detriment in the new scheme and that the new scheme will be no worse? "No less favourable" are the words that Ministers used throughout the discussions in the Standing Committee which considered the Railways Bill. How can he say that the scheme is no less favourable when he admits that some people will be disadvantaged?

Mr. Freeman: I think that the hon. Gentleman will admit that there are bound to be some examples, but they will be few and far between. We are talking about an individual who moves from one job to another with a substantial salary increase. I do not believe that that will be the norm. Individuals will transfer within the industry from one train operating company to another, or from an infrastructure company to a train-operating company broadly on similar salaries. It is an Inland Revenue rule. It is not something that either the order or the Department of Transport can alter. It applies throughout the private sector. I understand the hon. Gentleman's concern and I may be able, through the means of a written answer, to make the House aware more precisely of the rule. If the hon. Gentleman cares to table a question, I shall answer it as fully and comprehensively as I can. The matter, I understand, may well be raised on another occasion.

Mr. Peter Bottomley (Eltham): Does my right hon. Friend accept that few of us are concerned about the person who may be an engine driver and who goes on to become the deputy chairman of Railtrack? Most of us are concerned about those who have some years service with British Rail and who have perhaps moved to an operating company. They may spend part of their working lives working for Railtrack, and would hope to have continuous service instead of moving around different companies in the contracting industry. That is the problem which the Select Committee on Transport faced, and the Committee feels that the Government have managed to achieve agreement on it. Can my right hon. Friend confirm that it has been solved?

Mr. Freeman: Yes.

The method for determining the initial split of assets between the sections of the RPS will be agreed with the trustees after taking the advice of our respective actuaries. The transfer order, another affirmative order, a draft of which will be laid before Parliament next month following the formal establishment of the scheme, may be used to split the assets between the sections of the RPS. Because we have to consult the trustees of the RPS first, the transfer order cannot be laid until the RPS has been formally established and the trustees appointed.

To maintain flexibility, employers will be able to admit new employees either to their section which succeeds BR's section, or to other new sections providing alternative pension arrangements. This will make the RPS more attractive to new employers, and give their employees the comfort of belonging to a large, well-managed pension scheme. A template for the rules for defined benefit and defined contribution sections is contained in parts 2 and 3 respectively of appendix 2 to the schedule.

Equal employer/employee representation will continue on the trustee board and the "Pensions Committees"—the management committees—of all sections. For legal and technical reasons, we are having to form a new trustee company, the Railways Pension Trustee Company Ltd., to act as trustees to the RPS. At 1 October this company will also take over as trustee of the other BR pension schemes for which the present trustee company acts so that the existing investment pooling and management arrangements can continue.

It is our intention that all the participating employers in the RPS will share in the ownership of the trustee company so as to prevent a single employer having sole influence over it. To facilitate this, the trustee company will be wholly owned by a holding company, Railtrust Holdings Ltd., which will be a company limited by guarantee making change of ownership easier when employees join or leave the scheme. The first directors will be the directors of the present trustee company together with two nominated by Railtrack, and one each by the British Transport Pensioners Federation and the Retired Railway Officers Society.

The present trustees have suggested that those latter two posts should be directly elected by the pensioners from the outset, but I have been advised that an early election would be difficult to organise. However, those nominees will only serve for the first two years until direct elections can be organised.

Although the articles of association provide for direct election of employee/pensioner directors after an initial two-year period, they empower the trustee board to devise alternative arrangements for voting, providing that equal employer/employee representation is maintained. That was a point put to me by the unions and the Government have agreed to provide flexibility in the mechanism for election.

Copies of the memorandum and articles of association of both companies, which will be incorporated by the BR board later this week, were placed in the Library last Friday.

For historical reasons, BR has a number of other pension schemes, all listed in the designation order. These schemes will stay in place. We see no requirement for the time being to transfer members, either serving staff or pensioners, out of their schemes. I should make it clear that no changes are proposed to the British Transport Police scheme.

Mr. Donald Anderson: On two occasions, the Minister has said that certain documents relevant to the debate were put in the Library last Friday. Does he think that that is an adequate time—however technical the documents are—for the outside interests to assess adequately the relevance and importance of those documents?

Mr. Freeman: I have given the House an assurance, with regard to the documentation placed in the Library and the orders in this complicated field, that if representations are made—either by the trustees or their representatives, or by the trade unions or their representatives—which improve the documentation, because we settled the points of principle, then amendments will be made. These are enormously complicated issues and we have kept faith with those whom we have consulted in their preparation.

In relation to the closed fund for pensioners—in other words, the pensioners' sections—we have honoured the memorandum of understanding entered into with the trustees and the BR board last July. We have reached agreement with the trustees on a formula for partial deferral of Government cash support payments, under the Transport Act 1980, to the pensioners' fund to take account of the Government solvency guarantee. Any deferred payments will remain an obligation of Government, earning interest, and will be accounted for as an asset of the section.

We intend to bring an order before Parliament before the summer recess giving effect to that agreement, which we intend will take effect in October. It was agreed last July that the Government must give their consent to decisions affecting their financial exposure under the guarantee. Originally, that consent was to have been exercised by a Government director on the trustee board. Because of potential conflict between his fiduciary duties under general trust law and his responsibility to the Government, we have decided not to proceed with that proposal. Instead, the consent of the Secretary of State will be required—within the terms and conditions of the guarantee—to strategic decisions about the fund, but not its day-to-day operation. Accordingly, there will be no Government director on the trustee board.

When the orders were laid before Parliament on 10 May, there was one issue in relation to the pensioners' fund on which we had failed to reach agreement with the trustees. Although we had accepted that pensions should not be reduced in cash terms in the event of a deficit in the fund, even if they included unguaranteed discretionary increases, we had not resolved the procedure that would apply in the absence of other agreement if the fund went into deficit and subsequently returned to surplus.

We have now reached agreement, however, on the basis of a compromise proposal put to us by the trustees. We have accepted the compromise. In the event of a deficit, the special reserve will be applied in full first, before any freezing of pensions. I should emphasise that the pension prevailing at the establishment of the closed sections on 1 October 1994 will always be indexed for inflation. It cannot be reduced or frozen. Total pensions may subsequently include discretionary real increases and it is the total that may, as a last resort, be temporarily frozen until the indexed guaranteed pension exceeds it. After those sources had been exhausted, Government guarantee payments would be made. A subsequent surplus would be applied in the reverse order.

The trustees have also offered changes to our original agreement on Transport Act 1980 payments, to reflect the ramifications of this proposal. Both we and the trustees regard that position as a fair way of dealing with a problem that was not foreseen at the time of the memorandum.

Even though the pensioners' section rules do not reflect that revision of policy, there is no need to amend the order. We are considering with the trustees changing the rules —in particular rules 13, 14 and 16—after formal establishment, through the amendment procedures written into them. That procedure might also be used with the agreement of the trustees to make other agreed amendments to the pension trust or rules, to clarify the existing drafting where that is considered necessary, especially in relation to the provision of "seamless" voluntary transfers between railway employers within the RPS, in normal circumstances on which agreement has been reached with industry employers. Failing that, the required amendments will be made together with the forthcoming transfer order. I repeat that assurance.

The arrangements to be implemented under the two orders will fully deliver the undertakings given by the Government and provide the promised security, protection and peace of mind to BR's existing staff, pensioners and deferred pensioners. I hope that the House will support them.

10.37 pm

Mr. Brian Wilson (Cunninghame, North): The Minister constantly reminds me of a sort of upmarket job creation scheme whose business is digging holes to fill them in again. This Minister seems to revel in creating complexity in order to unravel it.

Let us rise for a minute above the minutiae of what is being so lovingly described by the Minister. Why are we here? What is the scandal about the British Rail pension fund that makes it the centre of attention in the House tonight? Why, out of all the problems that exist in the country and the world, have scores of parliamentary hours been devoted to the affairs of the British Rail pension fund?

The sole reason why the fund, which is well run, acts responsibly in the interests of its members and has attracted no complaints—unlike many of the private pension funds that the Tories have been anxious to shepherd people towards—is being debated is that it is a by-product of the

[Mr. Brian Wilson]

Tories' destructive determination to fragment our railways. Out of that has arisen the opportunity to fragment the BR pension fund.

This has been a tawdry and wholly unnecessary exercise. It has given rise to thousands of hours of lawyers' time being wasted and having to be paid for over the past 18 months, just to deal with the complexities to which the Minister keeps referring. It has disrupted the operations of a smooth-running pension fund and, most important, it has caused immeasurable upset for tens of thousands of railway pensioners, who, like the rest of us, deeply resent this unwarranted interference in what should be the sacrosanct territory of a pension fund.

The whole exercise has been characterised by opportunism, by incompetence, and ultimately by a retreat on the part of the Government. At the start, the Treasury thought that it could get its hands on £4 billion of railway pensioners' money, to set against the public sector borrowing requirement. The simple device was to be the splitting of the pension fund and the taking over of half of it for future administrative purposes.

Step by step, the Treasury has been frustrated in the achievement of that end, and I welcome the assurance that it will get nothing out of the exercise. If that is indeed so, it has been a major victory for all concerned: for the Opposition, for the trade unions, but most of all for the thousands of railway pensioners who protested at what has been done—

The Secretary of State for Transport (Mr. John MacGregor): No.

Mr. Wilson: Let the right hon. Gentleman have another look at his original proposals, which sparked off fear and alarm among railway pensioners as they realised that half of their fund was to go directly, not into thin air, but to the Treasury. Four billion pounds was and is big bucks and big politics, but the people who planned the audacious raid have been forced to back off. I promise them that we will remain vigilant throughout every stage of the process to see that not one penny of the BR pension fund ends up in the Treasury.

Right to the end, interference with the pension fund was characterised by chaos and confusion. The Minister tonight used the same phrase as the Secretary of State used in the press release issued last Friday:

> "John MacGregor, Secretary of State for Transport, today welcomed the final agreement of the BR Trustees to the joint industry pension scheme for railway industry staff and pensioners".

Why do Ministers thus continually misrepresent what has occurred? The Secretary of State, the Minister and the authors of the press release know as well as I do that there had never been a meeting of the trustees to consider the final proposals. At the very time the press release was being drawn up, the proposals were still being drafted—late on Friday. Yet the Department had the cheek to put out a statement saying that the trustees had accepted them.

There is a precedent for the folly of this approach. The rest of us remember the memorandum of understanding of last year. In good faith, the chairman and chief executive of the pension fund accepted the memorandum when the trustees had not yet met. Yet Ministers misrepresented the facts, saying that they had accepted the memorandum. Ultimately, the fact that there had been no such acceptance was exposed—hence the scenes in the House of Lords, shortly before the legislation was finally passed, which brought the Bill into even greater disrepute.

The press release contained another untrue phrase as well. It speaks of the

> "joint industry pension scheme for railway industry staff and pensioners in the new privatised railway."

But there is no new privatised railway, and the way things are going there is not going to be one. No one is interested in investing in the "new privatised railway", and it matters not whether the train operators or Railtrack come first: still no one will be interested in investing in the new privatised railway, because it is a lousy bet for any investor.

In the event of there being a new privatised railway, what do we have to look forward to? I shall quote from Friday's edition of the *Eastern Daily Press*. It stated:

> "Children 'put at risk' by rail cuts . . . Schoolchildren and commuters will be left stranded following railway bosses' decision to scrap a key rural service . . . Regional Railways insisted: 'We live in a commercial world where we have to generate the maximum amount of revenue'."

So the new timetable changes will leave schoolchildren and commuters waiting at Spooner Row, Eccles Road and Harling Road.All those stations are in the constituency of the Secretary of State for Transport. *[Interruption.]* The Secretary of State attacks the *Eastern Daily Press*. Rarely can a Secretary of State have been so directly the author of his constituents' misfortune.

Under a previous arrangement, these orders were at one stage to be debated on Thursday. I make that point to my hon. Friends who complained about documents not being in the Library until Friday. Even on Friday, the Government were still changing this and altering that and amending, rubbing out and pencilling bits in. They got messengers to go running around with the documents so that they would reach the unions, the people who represent those most directly affected, before 5 o'clock. I have a copy of a document which states:

> "On Her Majesty's Service. Express service at all stages. I certify that the papers transmitted under this label are official and of great urgency and require to be delivered by 5 pm today."

That was 20 May. The matter has been going on for 18 months and affects the pensions of tens of thousands of people in the industry and those who have given their lives to it. But messengers were scurrying about on bikes at 5 pm on the Friday before the orders were to be debated. That is after 18 months and a great amount of candle power, and still the Government have not been able to complete the orders.

I shall later ask for undertakings that the changes to which I understand the Government have agreed, even since the statutory instruments were printed and since the bikes delivered the latest dispatches to the trade union headquarters, will eventually be incorporated in the instruments. What an impertinence that at 5 o'clock on Friday they were still messing about with people's pension funds on the basis of such a shambles.

I have three questions for the Minister. First, will he address the issue of seamless transfers for railway personnel between employers? On this, as on many other matters, the Tories have been forced into involuntary retreat in an attempt to offer sweeteners to potential private interests. They started by saying that they were not prepared to allow staff to maintain their pension rights if they transferred voluntarily from one company to another within the railway industry. That would apply only if transfer were compulsory.

In February, the Government finally changed their tune and agreed that voluntary transfers and promotions with the industry would carry the same rights. However, the terms of that climbdown continued to be unclear, and are *not adequately covered in the orders. Can the Minister* confirm that the period of pensionable service for rail staff will not be reduced as a result of a transfer from one employer to another within the railway industry? If that guarantee is forthcoming, as I believe it will be, will it apply to new entrants to the scheme?

A crucial question is whether the Minister will confirm that clause 8 of the pensions trust will be amended to implement the ministerial promise of seamless transfers between railway employees on promotion or other voluntary transfers.

Secondly, I turn to the issue of discretionary pension increases in the event of the fund's temporarily going into deficiency. The Government's previous position was that in those circumstances discretionary increases would cease in spite of the very effective safeguards proposed by the trustees. That is an important consideration for pensioners, and particularly older pensioners. I understand that discretionary increases account for some 15 per cent. of the average pension. Will the Minister confirm that he has also retreated on this issue and that rules 13, 14 and 16 of the pensioners' section—the one that covers pensioners and deferred pensioners—will be amended as agreed with the trustee company on 18 May to strengthen the security of pensioners' entitlements?

I again remind my hon. Friends that all this has been going on for 18 months, but the Government were still being forced into the reluctant concessions such as this last week.

Thirdly, I want some explanation of where the Government have reached on an insolvency guarantee for the existing and deferred pensioners' fund. I understand that the chief officials of the trustees are now satisfied with what is proposed. On the basis of their most recent information, the National Union of Rail, Maritime and Transport Workers understands that a mechanism has been proposed to enable Ministers to harvest the surpluses of the fund in good years and to pay back money given under the solvency guarantee, which thus becomes a loan rather than a grant. I hope that the Minister will take this opportunity to clarify that.

My hon. Friends will raise many other questions, and I want to leave them plenty of time to do so. But I return to my original point. There is no reason for us to debate the British Rail pension fund now. It should never have been disturbed, in the same way that British Rail should never have been fragmented. A Labour Government will restore British Rail to a national, integrated railway company. We will restore its pension fund. We will restore peace of mind for its pensioners.

I believe that the Government have many problems. I believe that the Tories have many problems in the weeks ahead, never mind the months ahead, in selling rail privatisation to any substantial body of opinion. *[Interruption.]* I think that I just heard the hon. Member for Rutland and Melton (Mr. Duncan). I remember that he was a member of the Committee that considered the Bill. We talked for weeks about railway pensions, yet the only time that he intervened was when a question arose about oil pipelines. When I hear an hon. Member intervene on a question of oil pipelines, that is the time to reach for the Register of Members' Interests. And sure enough the hon. Gentleman did not disappoint me. He does not seem to be able to get off his posterior this evening to contribute.

Mr. Peter Snape (West Bromwich, East): Can my hon. Friend assure the House that that oil pipeline did not pass under a council house in Westminster?

Mr. Wilson: I think that we should intrude no further on the private grief of the hon. Gentleman and Lady Porter, though, I presume, not in unison.

Mr. Alan Duncan (Rutland and Melton): Sink a bit lower.

Mr. Wilson: Sink an oil well.

The central subject of the debate tonight is the future of railway pensions. As the Minister said, there will be many more orders to find out exactly what the Government have in mind. I give him due notice that just as we have followed this from start to finish, just as we have forced retreats on all the major intentions that the Government had towards railway pensions, just as we wiped out the original options that the Government had the impertinence to lay before railway pensioners, so we will continue to monitor the whole process from now until the day when that whole shower is consigned to the dustbin of history. I do not trust them. The country does not trust them. Most importantly, the railway pensioners do not trust them.

10.52 pm

Mr. Peter Bottomley (Eltham): The hon. Member for Cunninghame, North (Mr. Wilson) entertained the House, but asked unnecessarily why we are having the debate. For the past five elections, some of the trade unions sponsored Labour Members of Parliament to contribute to such debates. I think that if the trade unions that have political funds had been asked whether it is right to spend £10 million every general election to sponsor a party that has lost each one of them since 1974, they would begin to believe that they should start spreading their favours rather more widely. Even better, they should stop trying to pretend that the Labour party represents the political interests of their members.

The reason why we now have sensible pension arrangements is not just because of the Labour party, but because hon. Members on both sides of the House responded to the Government's invitation to comment, both on the Select Committee and individually. I think that rail pensioners and prospective rail pensioners have reason to be grateful to Ministers for their response to what Members have said.

Mr. John Heppell (Nottingham, East): Will the hon. Gentleman give way on that point, as I am a railway pensioner?

Mr. Bottomley: I shall give way, but I had not developed any point beyond answering the rhetorical question from the hon. Member for Cunninghame, North.

Mr. Heppell: As a railway pensioner, let me say that I am not happy with the way in which the Government have handled the situation—and I suspect that mine is the view of most railway pensioners. My hon. Friend spelt out the position. First, the Government promised us "comparable" arrangements, before coming up with two options that were nowhere near comparable. Then they switched it to "favourable", before coming up with options that were not

[Mr. Heppell]

favourable. I am still in the same position: my pension will be less beneficial to me now than it was before privatisation.

Mr. Bottomley: The hon. Gentleman may wish to make his own speech later, unless he has made it already.

What really face us are the public problems of the Labour party. My right hon. Friend the Minister has made it obvious to all—including those Labour Members who are present and, by extension, those who are satisfied with the position but are not present, who make up probably nine tenths of the parliamentary Labour party—that railway workers have no further problems. I think that that outcome was predictable.

The hon. Member for Cunninghame, North has predicted that Labour will reverse the changes that are in progress in the railway industry. As I have made plain on a number of occasions, I believe that the Government's aim should be higher capital investment, less current subsidy and more use of the railways; but today we are more concerned with the interests of those who work on the railways—both in the operating companies as they now are, and in Railtrack as it now is.

The assurances given to the House—whether those announced on Friday or those that were predictable from the outset, and certainly those given by my right hon. Friend this evening—are acceptable. It is a disgrace that Labour's spokesman has not described what has now been proposed as right and acceptable. In no part of his speech has he said that it is unacceptable to those working in the rail industry.

Mr. Wilson *rose—*

Mr. Bottomley: The hon. Gentleman made a fairly good speech, in his terms. If he wants me to give way, I will.

Mr. Wilson: I intervene mainly because the hon. Gentleman said that something was disgraceful. I asked for a list of assurances that I understand to have been given to the railway trustees; no doubt they will eventually be given to the trade unions, but they have not yet been translated into statute. Within the wider framework—to which I continue to object, without apology—immense progress has of course been made, but it now needs to be translated into legislation.

I reserve the right for other Labour Members to say that some problems have not been resolved, and I hope that they will take this opportunity to do so.

Mr. Bottomley: The hon. Gentleman did not describe them in his speech. Perhaps he did not know what they were, or perhaps he wanted to spread them around among his hon. Friends.

Over the past 20 years, the basic problem in the railway industry has not been pensions: there is no doubt that the workers' pension funds have been well financed. The basic problem has been overstaffing and under-investment. The biggest problem in Labour's approach to public services —of which public transport is certainly one—is that, given the choice between higher capital investment and higher current subsidies, Labour always chooses higher current subsidies.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. The hon. Gentleman is very experienced in the procedures of the House. We are supposed to be discussing railway pensions; may we return to that subject?

Mr. Bottomley: I say that the biggest problem has been under-investment in capital and too much subsidy because Labour has always been in hock to trade unions. That has been bad for those working in the industry, and bad for capital investment.

Mr. Deputy Speaker: Order. The hon. Gentleman clearly did not listen to my earlier remarks. The House is debating railway pensions: will he please return to that subject?

Mr. Bottomley: I am concerned about pensioners' interests because pensions come from investment, not from current subsidies. Perhaps if I had said all that the other way around it would have been clearer to me what I was trying to explain.

It is important to consider the way in which we are going about our capital investment to secure a railway service, pensions and pay for those working in the industry that match the best in Europe. Railway workers' pay has risen in recent times, as have the pensions of those working in the more modern services that the railways are now developing—which do not just include the channel tunnel services and the lines in which there has been heavy capital investment. If we want that to continue, we must break away from the trade union-Labour party links ordaining that an hon. Member must make a speech after 10 pm, describing a problem that no longer exists in the pensions of those who have worked for British Rail, and those who are working and will receive their pensions from the railway operating companies and Railtrack.

In the face of their sedentary interruptions, I make a plea to Labour Front-Bench spokesmen, who should make their own speeches rather than interrupting mine, that they should try to dedicate themselves to achieving a proper mixture of the interests of those who want to use railways and of those who work in them.

Those who want a capital intensive railway and good pensions for those who work in the railway operating companies and Railtrack should welcome the achievements of my right hon. Friends the Secretary of State and the Minister of State and should say that the trustees know what they are doing.

An attack has been made on the Treasury, which, generally, is not here to defend itself. That probably is wise because it might occasionally come under attack from my right hon. Friend the Minister of State, if one may interpret what he says to it in private. I believe that Ministers should be congratulated on the way in which they have represented the interests of rail workers.

Current and future employees can trust the provisions of the orders. Despite my doubts about the original lack of certainty, I recommend to trustees and workers that they can trust the proposals. Following developments in the past year, current pensioners can believe that their interests are safeguarded and future pensioners can go on taking part in the transformation of the railway industry so that it can start to meet a larger share of the transport needs of this country.

Without a Conservative Government since 1979, the railway industry would be in a worse situation. Pensioners would be experiencing the inflation that they were used to under the previous Labour Government. Nobody under 35 can believe that, but as most Labour Members are older than that they know that what I am saying is right.

The reason for the debate is the ancient link of the party political levy. A third of Labour Members have trade union sponsorship and almost all Labour Front-Bench spokesmen receive a third of their election sponsorship from trade unions. I say to them: break the link and we shall be offering a better service to pensioners and other rail users.

11.2 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): It is always rather embarrassing to see Conservative Members trying to walk backwards and climb on a bandwagon at the same time. Had they any knowledge of what happens to people who get in the way of rolling stock, they might be rather more careful in their use of the English language.

The reality is that rail pensioners are exceedingly worried about the orders, not least because their contents were not transmitted to the rail unions until five days after they were officially published. Only when the unions went directly to the Minister and asked for an extension to the consultation period were they given sufficient time to discuss them with their members. The unions then put a number of detailed questions to the Minister but heard nothing further until last Friday. That is not my interpretation of consultation.

Pensioners in my constituency—I make no pretence of not representing their interests because I am a member of the National Union of Rail, Maritime and Transport Workers—are extremely concerned that the Minister, under the guise of protests that he is introducing a highly complex scheme, has not answered to the satisfaction of representatives of railwaymen and women a number of detailed questions that concern them. If what the Minister has done is so reliable and so good for the pensioners involved, why was he not prepared to make the detailed answers available sufficiently early for them to be circulated among the men and women directly affected? There should have been no difficulty about that. If the Government have only the interests of railwaymen and women at heart, why are they so coy about letting pensioners know what is involved?

If the Minister genuinely believes that the average voter trusts the Government when it comes to pension funds and the denuding of those funds, he has got another think coming. In fact, the average voter has absolutely no trust in the Government in respect of matters that are of concern to all individual members of the scheme. He is not convinced that the fund's surplus will be protected.

Is it true that the Government's proposals will mean that, although they may underwrite deficit years, in other years the Government will have the right to cream off funds? If so, how do the Government explain that? What are the changes in the rules on maternity provision? Is it true that the maternity provisions in the new revised scheme may implement the Social Security Act 1989 but will they also worsen current arrangements by giving the employer discretion? As there is already clear evidence about the effects of fragmentation in the railway industry, I am afraid that individual pensioners are right to be concerned about what is happening to their future provision.

I know that many hon. Members want to speak. I shall not dignify the remarks of the hon. Member for Eltham (Mr. Bottomley) by responding to them but I have this to say to him: if he had worked all his life in a low-paid, often dangerous and frequently undervalued industry, he would not have the effrontery to come here and talk such utter incompetent and arrogant rubbish.

11.6 pm

Mr. Keith Hill (Streatham): The privatisation of the railways has been a shambles from the word go. At its very inception the Bill was awarded a vote of no confidence —to say the least—by the all-party Select Committee on Transport, of which the hon. Member for Eltham (Mr. Bottomley) is a member. It spluttered and faltered its way through its Committee stage and was subject to an unprecedented number of amendments in both Houses, the vast majority of which were tabled by the Government. We might reasonably have expected the shambles to have concluded with the ludicrous and unseemly proceedings of the Reasons Committee last November. However, it continues with the present, highly imperfect statutory instrument which, according to what the Minister has told us this evening, we understand is to be the subject of further amendment. Such confusion and lack of consultation has been the hallmark of privatisation and has persisted to its very dying throes in the proposals that we are now debating.

Let me illustrate how unsatisfactory the consultation process has been by reference to the experience of my sponsoring union—the National Union of Rail, Maritime and Transport Workers—which has more than a small stake in the issue, through its present and past members of the British Rail pensions fund and through its representation among the British Rail pensions fund trustees. A consultation draft of the proposals was circulated on 31 March, just before the Easter bank holiday. The RMT did not receive it until 7 April. The consultees—the RMT and the other unions involved— were given a mere handful of days until 25 April to examine and respond to the documents, which were several inches thick. Nevertheless, the RMT co-operated as far as possible with the foreshortened timetable and agreed to meet the Minister for Public Transport on 21 April. At that meeting, the Minister agreed to extend the consultation process so that the detailed paper prepared by RMT could be examined.

There was no response from the Government to the RMT's points until 4 pm last Friday, 20 May. In other words, the union representing many thousands of actual and potential pensioners had no guarantee that the orders took account of its constructive criticisms. It simply is not good enough. Nor is it good enough for the Secretary of State to claim, as he did in a letter entitled "Railway pensions after privatisation", sent to hon. Members on 18 May, that agreement had been reached with the British Rail pension fund trustees. Other hon. Members have made that point. The plain truth is that the trustees have not met since 5 May and no agreement has been recorded. The trustees have not met to endorse the proposals. Whatever the Minister may say, that is the indisputable truth.

It may well be—the Minister said as much this evening —that something has been settled with the chairman and chief executive of the British Rail pension fund trustees. We have been through this saga already—last summer— with the memorandum of understanding. We have learnt

[Mr. Keith Hill]

already that the assent of the chairman and the chief executive does not signify unanimous agreement by the trustees—far from it.

There is no excuse for this confusion and for the defective process of consultation that we have witnessed. It has been unfair to the institutional partners, such as RMT, and it has been grossly unfair to the many thousands of senior citizens who rely on their small British Rail pensions to supplement their meagre state pensions or to the thousands of potential pensioners still in railway employment. There are 330,000 of them in total. Those many hundreds of thousands have been subject to quite unnecessary anguish over the past two years as a result of an unnecessary privatisation and the Government's inept handling of it.

Throughout the period, we have witnessed example after example of policy-making on the hoof. Let us consider the present provisions concerning year-for-year credits for staff transferring from one to another employer's section of the industry. Until last Friday and possibly later, it was still unclear whether the protected persons provisions under paragraphs 5 and 6 did ensure that membership of one employer's section of the joint fund would be so credited on transfer.

Now, as we understand it, we have received reassurances from the Minister on the matter. We shall need to examine very carefully the written record tomorrow. Even if the reassurances are satisfactory, it is wrong that they should be subject to last-minute policy clarifications and announcements. It is wrong that staff and the organisations representing them should not have had an adequate opportunity to assess any changes that may have been made.

Meanwhile, it is far from clear that the necessary assurances have been offered or will be offered on other fundamental issues of concern. As I understand it, paragraph 8C.1 leaves discretionary powers in the area and paragraph 8C.2 also fails to provide year-to-year credit on compulsory or voluntary transfers.

Vital as those considerations are, an even more profound defect is the Government's proposal relating to the so-called "absolute solvency" guarantee in the new railway pension scheme. Certainly, the guarantee given to the existing and deferred pensioners' section of the scheme ensures Government support in deficit years, and that is to be welcomed. At the same time, the Government are now proposing a new mechanism to enable Ministers to harvest the surpluses of the fund in good years to pay back money given under the solvency guarantee. In other words, the solvency guarantee becomes a loan and not a grant.

By no stretch of the imagination can the scheme be regarded as a no less favourable arrangement. It is contrary to the 60:40 split agreed in the memorandum of understanding. In the event of a deficiency, it could result in members of the scheme being unable to benefit from future surpluses for many years. We have had repeated reassurances from the Government on that issue of "no less favourable terms". It is a scandal that such undertakings are not being honoured.

Privatisation of the railways has been the most unpopular privatisation ever. Never have so many Conservative Members voted with such lack of conviction to so little advantage for their party. Time after time, Conservative Members have been driven through the Division Lobby despite their better judgment. The desperate unpopularity of the privatisation scheme may have been allayed at least by the Government's hopes that they could hold out on the promise of milking the pension fund to pay for better times around the corner. They have even failed with that. The railway pensioners rose up and they forced the Government to give up their planned £4 billion clawback from the fund. That was one of the very few pluses in the whole sorry saga, but it was a major gain, for which the Opposition can take their fair share of the credit. Railway privatisation has been a shambles from start to finish and the biggest victim of that shambles have been the Government.

11.15 pm

Mr. John Heppell (Nottingham, East): Thank you, Chair. I would like to start by—

The Minister for Roads and Traffic (Mr. Robert Key): It is Mr. Deputy Speaker

Mr. Heppell: Sorry, Mr. Deputy Speaker. I apologise to the Minister as well, who seems more upset than you do.

I am a member of the Labour party and I am proud of that. I am also a member of RMT and I am proud of that. I also pay the political levy of RMT, so that money goes to the Labour party and I am proud of that. I am also a deferred member of the British Rail pension scheme and I am proud of that. For the benefit of the hon. Member for Eltham (Mr. Bottomley), may I tell him that there is no political levy on the British Rail pension fund? None of my pension is paid to the Labour party. Nothing is paid to the RMT. The fund is for the benefit of existing pensioners and future pensioners, one of which I hope to be at some time. I feel more than a little annoyed that the hon. Member for Eltham has muddied the water in that way, as though it is some sort of political issue generated by the Labour party.

I was astonished and, quite honestly, frightened about my future when the plans came out. It was not my hon. Friend the Member for Cunninghame, North (Mr. Wilson) who implanted some of those worries in my mind, nor was it my other hon. Friends. I was worried because of what I saw in the Government's papers. Effectively, it was one attempt to con me after another and I think that all railway pensioners feel the same. I mentioned to the hon. Member for Eltham earlier that, when I first saw the proposals, the Government talked about my pension being "comparable" —I think that that was the word—to what it is at present. When I then saw what they were proposing, I quickly realised that it was not comparable.

The Government then changed the words to "no less favourable" and I thought that we were moving in the right direction, but then I saw that they had put forward two options, which were Hobson's choice. Neither of them was even half as good as the pension that I already enjoy. When people say that there are two options, that I have to pick the one that I like best, but I have already got something better, why should I be grateful for that? Why should I be grateful for the fact that, rather than taking all my money, the Government are taking only half? I refuse to be grateful and I suspect that the majority of British Rail pensioners will refuse to be grateful, too.

Whether or not the Government were ruining British Rail—there is no doubt that they were—the pension fund was thriving. The trustees had invested the money wisely and we were enjoying massive surpluses. The employers and the employees had had their contributions frozen. We were not having to pay the amount of contributions that we were paying before and we were looking forward to enjoying extra benefits from the surpluses that had been generated. All of a sudden, the Government realised that there was money to be made. From that moment, things went downhill, but the Government tried to con me and other pensioners that there was nothing wrong with what they were doing. I resent the hon. Member for Eltham helping the Government to con people again.

Mr. Peter Bottomley: The hon. Gentleman is talking nonsense. He is talking as if the Government had not improved their proposals when they have produced a scheme that is acceptable to the trustees. The debate should be focused on the Government's current proposals, which are acceptable to the trustees and should be acceptable to the pensioners. The speeches that we are hearing from the Opposition Benches are being made by Members who are sponsored by trade unions.

Mr. Heppell: That is nonsense.

I suppose I have a vested interest because I am a pensioner irrespective of whether I am a trade unionist, but the Government are relying on short memories. There has been improvement but I want the arrangements to be as good as they were initially. It is not encouraging when the Government say, in effect, "We'll slash your pensions", and then say that they will not slash them quite that much. Should we accept that? The Government have moved, but not far enough.

We are told that the trustees are happy now, but I remember when the trustees were happier earlier. Some people's memories are failing. There was a memorandum of understanding, but the Government's understanding was different from that of the trustees and their chair. As soon as the trustees understood what the document stated, they did not accept it. It should be understood that the trustees have a voice and a message and some influence on our decision. Their perspective, however, is rather narrow. They are supposed to look after me and other current pensioners, and at the same time they should be protecting the interests of future pensioners.

The Minister talked about the present pensioners but he did not refer to future pensioners. I am concerned because I want those people to have decent pensions. There is nothing wrong with blue-collar employees having good pension schemes, but I have heard Conservative Members express astonishment that railway workers should have such marvellous pension arrangements. They think it disgusting that such lowly workers should have such a marvellous scheme. I am delighted that I am a member of such a scheme and I want to ensure that it stays as it is.

It is all very well for the Minister to say that we have arrived at a compromise. We have a guarantee of the fund's solvency but the arrangements for the Government's payments into the fund are rather cloudy. The so-called compromise was reached because, in effect, during the negotiations a gun was held at the heads of the trustees. They had a choice. They said to themselves, "We agree to this or we get nothing." The compromise is not one that I am prepared to accept. As a pensioner, the proposals are not acceptable to me. I shall continue to fight to ensure that pensioners have the scheme that they deserve, the scheme that they had before the Government embarked on the disastrous process of privatisation.

11.23 pm

Mr. Donald Anderson (Swansea, East): It is significant that the only attempt by a Conservative Back-Bench Member to justify the orders was made by the hon. Member for Eltham (Mr. Bottomley), who produced a political knockabout about the relationship between the Labour party and the trade unions. Even the hon. Gentleman conceded that a significant change has been made to the earlier proposals. That is why there was such anxiety among those who already benefit from railway pensions and those who are likely to benefit in future.

We must surely consider the orders in the context that railway pensioners are some of the lowest paid people in the country. I am frequently appalled at the take-home pay of the railway workers in my constituency to whom I speak. It is therefore hardly surprising that they are very concerned about the way in which this matter will be handled. Those pensioners have become concerned after reading of personal pension sales and the fall in the value of those pensions. Our concerns about the orders are concerns of procedure and, in part, concerns of substance.

With regard to the procedure, the Minister agreed that it was only at 4 pm or 5 pm on Friday that there was a mad scramble to get the documents into the Library. We know what happens on a Friday. There are likely to be very few people around able to receive or adequately to digest documents that are delivered then. The weekend would have passed before people returned to this place.

Had there been an opportunity to scrutinise the documents, some of the anxieties might have been allayed. However, it is clear that in the time available people who were keen to look through the details to discover whether there were remaining areas of concern or detriment to pensioners in what are clearly matters of grave importance for their futures had insufficient time to assess such matters.

When the point was made about the late delivery of the documents on Friday, the Minister said that the order has to go to the other place. However, as I understand it, that will happen in only two or three days' time. There is unlikely to be sufficient time between now and then to examine the matter. As a fall-back position, the Minister said that, even if there is inadequate time between now and the matter going to the other place, further technical orders will allow further opportunities for examination.

Mr. Alan Williams (Swansea, West): As my hon. Friend has been a Member of this place for some considerable time, does he recollect that it would have been a matter for incredulity at one time if a Minister came before the House and announced that he wanted to legislate on a matter that he knew contained drafting errors? Does my hon. Friend also agree that, when the matter goes to the other place, it goes in this form and stays in this form? Even if errors are found in the few days between now and its appearance in another place, there is no procedure whereby the other place can amend the order.

Mr. Anderson: Precisely. As always, Swansea, East agrees with Swansea, West on this matter.

[Mr. Anderson]

I hope that the Minister will take this point on board. On a matter of such importance to so many people on low incomes, it is wholly unreasonable for the matter to be handled in this way. That is the point about procedure.

On a brief point of substance, the Minister conceded that there will be a detrimental effect for an element of the pensioners—those who he said had a substantial salary increase on moving from one company to another. He did not give the House details of how many people are likely to be affected or how substantial the pay increase would have to be before they were adversely affected as a result of the Inland Revenue procedure.

I hope that the Minister agrees that the fact that there is Inland Revenue involvement at this stage arises directly from the privatisation procedures. There is, indeed, detriment to an indeterminate number of people arising directly from the orders.

11.29 pm

Ms Glenda Jackson (Hampstead and Highgate): I take great pride in being sponsored by a rail union—the Associated Society of Locomotive Engineers and Firemen. I must tell the Minister that the members and pensioners in that union are not experiencing the peace of mind to which he referred in the final sentence of his opening remarks. I intend to ask the Minister questions that have been asked by that membership. Other questions have been touched on by my hon. Friends.

I have found the debate which emanated from Conservative Members and from the Minister's opening remarks almost unbelievable. It was left to my hon. Friend the Member for Nottingham, East (Mr. Heppell) to point out that the British Rail pension scheme was universally acknowledged to be one of the best and best managed schemes in this country until the Government decided to destroy the railway industry by privatising and thought that there might be a strong possibility of getting their hands on £4 billion of surpluses.

I have also found remarkable, in remarks emanating from the Conservative Benches, the presumption that the BR pension scheme somehow belonged to the Government. It was my understanding, and it was certainly the understanding of members of that scheme, that it belonged to the membership. The gloss that the Government have attempted to put on the orders—as though they have, in their infinite wisdom and charity, decided to divine and define a pension scheme that would be of benefit to British Rail pensioners—is outrageous. Eighteen months ago, they deliberately set about trying to destroy that pension scheme. The outcry that was created in the country by those actions, by amendments that they were forced to table, and by the doughty fight put up by Opposition Members in Committee, forced the Government to retract from their initial desire to destroy the pension scheme and to transfer £4 billion, as we perceived, into the Treasury.

Pensioners are still disturbed and they have every right to be disturbed. My hon. Friends have described what seemed to me outrageous behaviour on the part of the Minister, scurrying around attempting to obtain agreements. Pretensions are still being presented in the House that some type of agreement has been reached by the trustees of the scheme when, as my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said, there has been no such meeting. There are still grave worries and we are not scaremongering, even though that is the only cry that Conservative Members ever put to us; we are not creating fear among pensioners.

It is disgraceful that pensioners of the British Rail pension scheme, who have dedicated their lives to an industry and now have to watch it being destroyed, should be presented by Conservative Members as though they had not the brains, the intelligence, the character or the ability to understand what the Government are trying to do. The presentation of those dedicated, highly intelligent and mature people as a will-o'-the-wisp of some kind of party-political shenanigan is proof, if proof were needed, of the basic contempt of Conservative Members for any type of industrial work force.

I have to say to the Minister and to Conservative Members that I believe that worries will grow in future if they do not speedily answer the precise questions that I and my hon. Friends are asking. I intend to ask a couple of precise questions in conclusion, as speedily as possible. If the Government have the idea that there can be any kind of way forward for the scheme and what is left of the national rail industry without direct consultation with the members of that pension scheme, and with the trade unions which are also members of that scheme, as a priority—because obviously there will be changes along the way—the Government can justifiably look forward to even stormier months ahead.

In conclusion, I should like the Minister to answer two direct questions from the union by which I have the honour to be sponsored. They are about the pensioners section. My hon. Friend the Member for Streatham (Mr. Hill) referred to the first one—that the society is anxious that payments under the solvency guarantees should be a first charge against future surpluses. ASLEF believes that that is contrary to the intention behind the 60-40 division of surpluses written into the memorandum of understanding. In the event of large deficiencies arising, it could be many years before any surpluses were available for the benefit of members, if at all. I should be grateful if the Minister would give a direct reply to that question.

The other point is rule 16 on winding up the section. Rules 16A and 16B give grave cause for concern as they give the Secretary of State all powers, duties and discretion to wind up the section at any time.

Those are the two particular questions that I have to ask. If my hon. Friends had not asked other questions, I would have asked those questions too. I trust that the Minister will not labour under a delusion that the concerns have been answered satisfactorily. The hon. Member for Eltham (Mr. Bottomley) used the word "should" many times. He said what members of the British Rail pension scheme should feel. It is not his right or his privilege to tell them what they should feel. They know, and they would like direct answers to genuine concerns.

Mr. Peter Bottomley: Will the hon. Lady give way?

Ms Jackson: No.

11.35 pm

Mr. Wilson: Mr. Deputy Speaker, follow that outline. With the leave of the House, I shall reply to the debate.

The Opposition have had two purposes in the debate. The first was to remove any misapprehension that it was some sort of technical debate—a mere mechanistic process to sort out a few little local difficulties round the edges. It was no such thing. There are still a great many questions to be answered and I and my hon. Friends have signposted them. I shall leave the Minister as much time as possible to answer them, but I appreciate that he will not answer them all and I look to him for an undertaking that he will deal with what he has acknowledged to be complex questions. I hope that he will write to the hon. Members who have raised them and try to give us some clarification before another barrel-load of amendments turn up in the Lords in a week's or a month's time.

Secondly, we make no apology for setting the debate in the wider context. The measure need not arise. It arises only as a by-product of what the Government are doing to the railways in general. Their measures are unwanted and have little public and very little political support. Without that fundamental interference in the workings of the railways, there would be no need to break up the railways pension fund and—

Mr. Bayley: Before my hon. Friend sits down, although I know that time is short, will he reply to one of the points made by the hon. Member for Eltham (Mr. Bottomley), who seemed to suggest to the House that there had been some bipartisan defence of the pensioners' rights? Will my hon. Friend confirm that in the Standing Committee which considered the Railways Bill we spent more time debating pensions than any other matter and that in not one of the Divisions did a Conservative member of the Committee vote with our party to support pensioners? Indeed, on many of those occasions the Liberal party did not vote with us either.

Mr. Wilson: I shall come to the hon. Member for Eltham (Mr. Bottomley) in a moment. Let me first finish the sentence. We make it absolutely clear that none of this would arise if it were not for the generality of what the Government are doing to the railways. What they are doing is unwanted. We regard it as despicable that the pensioners' worries and fears to which the Government's manoeuvre has given rise should be a by-product of that exercise.

I now come briefly to the hon. Member for Eltham. It is difficult to imagine a degree of brevity that is not over-generous. In a debate on the serious matter of the future of pensioners, their fears and concerns, their well-being, security and so on, the only Back-Bench speech from the entire Conservative party was an incoherent ramble in which the only interest of the hon. Member for Eltham seemed to be in circumventing your ruling, Mr. Deputy Speaker, so as to get on to subjects which were extraneous to the debate. It speaks volumes about the quality of intellect on the Benches behind the Minister, never mind what is on the Front Bench, that that was the best that could be put forward in a debate of this nature. Not one attempt was made at a rational defence or justification of what had been done.

What my hon. Friend the Member for York (Mr. Bayley) says is true. In the Standing Committee, pensions matters were dealt with at inordinate length. All the probing was done. All the objections from pensioners flooded in. As my colleagues who were members of that Committee and the Minister will remember, the only attempt by a Conservative member of the Committee to exert any pressure on the Government came from the late Stephen Milligan, the then hon. Member for Eastleigh. Although he did not vote for any of the amendments, he at least made an effort because he had a large constituency interest in that matter.

If the record of this debate is read nowhere else, by heaven it should be read in Eastleigh because of the cavalier way in which the Government and the Minister have been prepared to treat the interests of railway pensioners. The fact that we have had this sort of debate at this time of night, in which not one Tory Back Bencher has been prepared to defend what is being done—and the fact that the railway pensioners' interests are being treated as a by-product and side-effect of the other legislation—will have been noted in Eastleigh. It will continue to be noted there, and in every other community in Britain where there are railway pensioners—and a hell of a lot of constituencies are covered by that term.

11.41 pm

Mr. Freeman: I, too, pay tribute to what Stephen Milligan achieved in his brief time in the House, and to the distinguished contributions that he made to the debate on the Railways Bill. I look forward to a Conservative Member being returned at the Eastleigh by-election.

The hon. Member for Cunninghame, North (Mr. Wilson) spoke for 19 minutes, and failed to adduce a single argument against the orders. There is no point of disagreement. Has the hon. Gentleman got one? *[Interruption.]* No, the hon. Gentleman has not raised a single point of disagreement between the Government and the trustees.

I say to the hon. Member for Hampstead and Highgate (Ms Jackson) that I take exception to her remark that I had contempt for the industrial work force. I do take exception to that.

Ms Glenda Jackson: Will the Minister give way?

Mr. Freeman: No, I will not give way to the hon. Lady.

For the past six months, the Government have negotiated in good faith with the trustees and with the trade unions, and we have reached agreement.

The hon. Member for Cunninghame, North has left me four minutes to answer nine points. I shall deal with them, and there is no need for me to write to hon. Members because the answers are brief and clear. I made it plain during the proceedings in Committee that we were not to extend the indefeasible right to new entrants to the industry, and I made the arguments at great length.

We will amend clause 8(c) to mirror our agreement on the seamless transfer of benefits. We will also deal with clauses 13, 14 and 16, as I made plain in my opening remarks.

The hon. Member for Hampstead and Highgate asked about the solvency guarantee. Let me make it plain that the Government will not take out from the pension fund a single penny piece. Where the Government honour the solvency guarantee, those payments will go to support our commitment that pensions should be index linked.

Let us not forget that railwaymen and women have an excellent pension scheme. Not only do they have their pensions index linked; they have the scheme's solvency guaranteed from the Government. They also have—as they have had for many years—the right to 40 per cent. of any surpluses. That is an excellent pension scheme.

[Mr. Freeman]

I repeat what I said at the outset about the solvency guarantee payments which go into the pension fund. No solvency guarantee payment will ever be repatriated to the Government while the fund is in existence. Any payments back would stay as a special reserve for the benefit of all pensioners.

We have had a number of speeches from members of the RMT, including the hon. Members for Crewe and Nantwich (Mrs. Dunwoody), for Streatham (Mr. Hill) and for Nottingham, East (Mr. Heppell). I must say that they were unfair in their descriptions of the negotiations and discussions that we had with the RMT. The RMT is not a trustee of the pension fund, but the Government have gone out of their way to deal with the unions with utmost respect. I have described the several rounds of meetings which we have had with the RMT.

Which detailed points remain unanswered with regard to the RMT? There are no outstanding issues. I explained clearly at the outset of the debate that, on 5 May, the trustees had met—including representatives of three unions—and had agreed on all the points which were negotiated until then, with one exception: the treatment of deficits and surpluses. What happened? The Government accepted the compromise proposed by the trustees. Therefore, so far as we are concerned, all the points raised by the trustees and the unions have been dealt with. If points of drafting detail are outstanding, I have given the House a commitment that when we deal with the rules —the memorandum and the articles of association—in detail, and when we lay further orders, we will certainly pick them up.

I do not accept the argument of the hon. Member for Swansea, East (Mr. Anderson) that we have not made time available. We have been reasonable, not unreasonable, and have reached agreement after months of discussion.

I pay tribute not only to the trustees and officers of the trustees, but also to the unions for their constructive contribution, which has been notably lacking tonight.

On the point made by the hon. Member for Hampstead and Highgate about rules 16A and 16B, the Government and the Secretary of State have no power to wind up the closed section of the pension fund for a period lasting until 2013—

It being one and a half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question, pursuant to Order [19 May].*

Question put:—

The House divided: Ayes 213, Noes 170.

Division No. 256] **[11.45 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bellingham, Henry
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Browning, Mrs. Angela
Burns, Simon
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Clappison, James
Clifton-Brown, Geoffrey
Coe, Sebastian
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Rathbone, Tim
Redwood, Rt Hon John
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*

Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Viggers, Peter
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Bowen Wells.

NOES

Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Bayley, Hugh
Benton, Joe
Betts, Clive
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Field, Frank *(Birkenhead)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Heppell, John
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stratford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McLeish, Henry
McMaster, Gordon
McWilliam, John
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Mowlam, Marjorie
Mudie, George
Mullin, Chris
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Neill, Martin
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reid, Dr John
Rendel, David
Roche, Mrs. Barbara
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Steinberg, Gerry
Stevenson, George
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Wareing, Robert N
Watson, Mike
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jon Owen Jones and
Mr. Keith Hill.

Question accordingly agreed to.

Resolved,

That the draft Railways Pension Scheme Order 1994, which was laid before this House on 10th May, be approved.

Resolved,

That the draft Railway Pensions (Protection and Designation of Schemes) Order 1994, which was laid before this House on 10th May, be approved.—*[Mr. Lightbown.]*

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith pursuant to Standing Order No. 102(9) (European Standing Committees),

EDUCATION AND TRAINING: SOCRATES PROGRAMME

That this House takes note of the European Community Document No. 4715/94 and the unnumbered Explanatory Memorandum submitted by the Department of Education on 9th May 1994, relating to education and training (SOCRATES programme); supports the Government's view that the SOCRATES programme will offer helpful opportunities for schools, colleges and universities in the United Kingdom to develop the European dimension in particular through support for language learning; and welcomes the Government's efforts to secure a progamme which respects the principle of subsidiarity and which offers value for money.—*[Mr. Lightbown.]*

Question agreed to.

STATUTORY INSTRUMENTS, &c.

TRANSPORT

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

That the draft International Transport Conventions Act 1983 (Amendment) Order 1994, which was laid before this House on 26th January, be approved.—*[Mr. Lightbown.]*

Question agreed to.

EDUCATION

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

That the draft Education (National Curriculum) (Foundation Subjects at Key Stage 4) Order 1994, which was laid before this House on 9th May, be approved.—*[Mr. Lightbown.]*

Question agreed to.

PUBLIC ACCOUNTS

Ordered,

That Mr. Terry Davis be discharged from the Committee of Public Accounts and Mr. Alan Milburn be added to the Committee.—*[Mr. Lightbown.]*

A47 (Improvements)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

11.57 pm

Mr. Malcolm Moss (Cambridgeshire, North-East): I am grateful for this opportunity to raise the important matter of the A47 trunk road improvements. I thank colleagues and particularly my hon. Friends the Members for Norfolk, North-West (Mr. Bellingham) and for Great Yarmouth (Mr. Carttiss), who both have a keen constituency interest in the road, for being here at this late hour for the debate. I also thank my hon. Friend the Minister for his attendance to reply to the debate.

I have to declare an interest and I do so with some ambivalence because if the road is dualled it is likely to take half of my front garden. However, the road is important for my constituency and is vital to the long-term economic interests of my constituents.

My speech will contain no criticism of the Minister, who has always been extremely courteous and helpful and I have brought deputations to see him on the matter. But, of course, Departments of State get matters wrong and Governments make mistakes. The thrust of my argument will be to show that the Minister and the Department have got it wrong in their proposals for the A47.

We need to set aside emotion. Bypasses and roads are very often the subject of great emotion. I propose to set down the argument tonight, because I believe that the case can be won on its own merits. I would argue for a co-ordinated policy, where Government Departments worked together with an integrated policy for regional development. Improved transport links have as critical an influence on economic development in sparsely populated and relatively isolated peripheral areas as any other single issue. Conversely, to deny regions adequate transport links is to confine them in economic terms to the second division.

The A47 in Cambridgeshire came out very badly in the recent trunk road review of the Department of Transport, which set out

> "the Government's proposals for a revised and prioritised programme".

The 1989 White Paper entitled "Roads for Prosperity" gave as a stated aim

> "a greatly expanded motorway and trunk road programme to relieve congestion".

The A47 was designated for dualling along the whole of its length, from Peterborough to Norwich, a total of some 54 miles. There was further endorsement of that policy in the paper "Trunk Roads, England into the 1990s", which confirmed that

> "the A47 will become a dual carriageway from the A1 to the west of Peterborough to Norwich."

Schemes in preparation in my constituency on 1 January 1990 included the Peterborough to Thorney improvement —we were promised the preferred route by 1992—and the Thorney bypass, where we were told to expect orders in the winter of 1990-91.

It would not be an exaggeration to claim that the 1994 review decimates those programmes. Lengthy sections of the A47 in Cambridgeshire and Norfolk were withdrawn altogether, including the section between Thorney and Guyhirn. Others were placed in the category of "longer-term improvements". In that category came Peterborough to the west of Thorney, and the Guyhirn to

Wisbech section, including the Wisbech bypass. As priority 3 schemes, design work will not even start on them for some 10 years, and construction is therefore most unlikely to begin much before 2015. I suppose that I should seek some consolation in that in the sense that my garden will not be lost for another 20 years, but from my constituency point of view, that time lag is quite unacceptable.

Although the A47 Walpole to Tilney bypass in west Norfolk was given the go-ahead recently, the only scheme in Cambridgeshire to go into the active programme, and then only as a priority 2, was the Thorney bypass.

The Government's stated objectives for their roads programme, as set out in the 1989 White Paper, and unchanged by this year's trunk road review, is first to assist economic growth by reducing transport costs; secondly, to improve the environment by removing through traffic from unsuitable roads in towns and villages; and, thirdly, to enhance road safety. Those objectives would certainly attract universal support, and it is against them that the case for the A47 should be measured.

Let us start with the region's economy. Heavy traffic flows, delays, accidents and over-capacity all put up transport costs and are a serious deterrent to attracting businesses to locate in the region. The design capacity for the single-carriageway A47 is 13,000 vehicles per day. Although the average along the whole of its length is below that at just over 10,000 vehicles per day, that hides significant variations: for example, more than 22,500 vehicles per day on the Eye bypass; 17,000 vehicles per day between Guyhirn and Wisbech; and 11,800 vehicles per day between Thorney and Guyhirn. That vehicular flow is seriously exacerbated by the heavy use of the road by agricultural implements at particular times of the year.

Overall traffic flow has grown by some 60 per cent. over the past 10 years, equal to an annual growth rate of 5 per cent. per annum. That compares with the national growth in traffic of 40 per cent. over the same period. Forecast increased traffic growth throughout Cambridgeshire is in the order of 45 per cent. to 60 per cent. in the years 1991 to 2006. That compares with a target range of some 30 per cent. to 50 per cent. nationally.

The upgrading of the A47 was a cornerstone of regional development strategy for East Anglia. Regional planning guidance note 6 for East Anglia in 1991, although acknowledging the spectacular success of parts of the region, drew attention to areas of slower growth and higher unemployment in the northern and eastern peripheries and the more remote rural areas—for example, north Cambridgeshire and Norfolk, which are served by the A47.

Wisbech is specifically mentioned in RPG6 as still to attract its share of the economic growth and prosperity enjoyed by the rest of Cambridgeshire. Paragraph 28 states:

> "Generally the effect of the trunk road programme . . . will be to reduce the remoteness of the less prosperous areas and assist in providing more opportunities for economic development in them."

Paragraph 29, however, goes on to say that the development framework for the region is expected to provide for

> "some dispersal of investment in jobs from the more prosperous and congested areas in the west and Cambridge in particular, to those areas to the east and north, where the improvement in trunk roads is expected to increase their attractiveness for economic development and growth."

It is debatable whether the issue could be stated more clearly and unequivocally.

The strategy was fully endorsed by the Standing Conference of East Anglian Local Authorities, which concluded that

> "investment in the A11/A47 will enhance the prospects for Great Yarmouth, Lowestoft and Wisbech, and the Rural Development Areas."

Although the A11 is scheduled for improvements, a failure to improve the road network in the northern and eastern parts of the region will threaten the prospects for growth and investment in the most economically disadvantaged part of East Anglia."

Support for the strategy does not stop with SCEALA, however. Cambridgeshire county council, Peterborough city council, Fenland district council and Kings Lynn and West Norfolk borough council are all very supportive of the dualling of the A47. In its structure plan review—deposit plan 1993—Cambridgeshire county council indicated that, where investment in roads was necessary, priority would be given to schemes that stimulated economic development and employment growth in the north and east of the county, and both Peterborough and Wisbech are identified target centre locations for generating employment.

The unemployment statistics for Wisbech underline the point. In 1989, the unemployment rate in Cambridgeshire as a whole was 2.7 per cent.; in the Wisbech travel-to-work area, it was 4.5 per cent. In 1991, the rate in Cambridgeshire as a whole was 6.2 per cent.; it was 8.7 per cent. in Wisbech. In 1993, it was 7.6 per cent. and a substantial 11.4 per cent. in the Wisbech travel-to-work area.

Through its scrutiny and acceptance of the Cambridgeshire structure plan and RPG6, the Department of the Environment has accepted the logic of the case for development and road improvements to go hand in hand; but another Department—the Department of Trade and Industry—has had an even more direct involvement in the economy of the region. In 1993, after successful lobbying, several areas in East Anglia were designated intermediate assisted areas. It will come as no surprise to hon. Members that two of those areas were the Wisbech and Great Yarmouth travel-to-work areas. The single ingredient that those areas have in common is their dependence on the A47.

Separately, but at about the same time, a case was submitted to the European Commission in Brussels—strongly supported by both the Department of Trade and Industry and the Department of the Environment—for parts of East Anglia to qualify for EC structural funds under objective 5b status, the category dealing with areas suffering from significant unemployment in agriculture. In recognition of the relative economic disadvantage of the region, four areas were designated under objective 5b, two of which straddle the A47. Again, the Wisbech travel-to-work area and part of west Norfolk featured strongly, together with mid-Norfolk—based on Swaffham—and Lowestoft.

The other European dimension is the lobby to include the A47 in the trans-European road network, on the basis of its potential importance as a strategic route linking mainland Europe with the rest of the United Kingdom. It is understood that the Department of Transport sought the inclusion of the A47 in that network, but that that was not

[Mr. Malcolm Moss]

accepted by the Commission because of the absence of a roll-on, roll-off link from Great Yarmouth to mainland Europe.

Mr. Michael Carttiss (Great Yarmouth): Is my hon. Friend aware that the Mannin line roll on/roll off ferry from Great Yarmouth to Ijmuiden has doubled its sailings since the loss of the Norfolk line connection with Schevenigen in Holland two years ago? With the addition to the European Union, which we shall shortly welcome, of Sweden, Norway and Finland, the route through Ijmuiden into northern Europe and Scandinavia becomes even more important. The need for the A47 not only to be dualled beyond Norwich to Great Yarmouth—what we call the Acle straight—but its designation, with the support of the Government, as a trans-European network becomes more important with the expansion of the European Union than it was before, and it was important before.

Mr. Moss: I am grateful for that timely intervention. I knew that the roll on/roll off link had been reinstated, but the most important fact is that we are unlikely to get support from Brussels if our Government do not earmark the A47 for significant improvement and give it high priority in our national road programme.

I turn to the second of the Department of Transport's objectives—improvement of the environment. I have alluded to the higher than average growth in traffic in north Cambridgeshire and to the fact that on some stretches of the A47—notably the Eye bypass and the Guyhirn to Wisbech stretch—traffic flows are respectively 30 per cent. to 80 per cent. above the road's capacity. Any reduction in flow or increase in capacity will have a dramatic effect on the environmental amenity of settlements along the road, and by far the most critical improvement would be the provision of a bypass for the village of Thorney.

Some grudging acceptance of that fact by the Department of Transport has been given since the Thorney bypass has been included in this year's review, albeit as a priority 2 scheme. I remind the Minister, however, that as recently as 3 November 1993, in his reply to my inquiry about the bypass, he said that draft orders would be published at the end of 1994, but under the review the scheme does not have a target milestone in either 1994 or 1995. In response to another letter that I wrote only a week or so ago, I have had a reply from Lawrie Haynes, chief executive of the Highways Agency, about the Thorney bypass. He said:

> "It would not be meaningful at present for me to anticipate when we shall be in a position to publish our proposals as draft orders, but it will be several years away."

It gives me no joy to report that the Department of Transport's most recent policies in relation to Thorney are in tatters and are totally lacking in credibility. Fears were expressed that the proposed traffic-calming measures for the village were in some way in lieu of a bypass, and with the most recent announcement I am sure that villagers will conclude that their original expectations have come to fruition.

There is an overwhelming case for the early completion of the Thorney bypass. It is compatible with all the Government's objectives and it is strongly supported locally. The people of Thorney have been kept waiting for some 50 years for a bypass and the moral case is powerful because of the number of times promises have been made but not kept. I ask the Minister at least to give some indication of the target date for the publication of the order.

The third of the Department's objectives is to enhance road safety. Accident rates on the A47 within the county of Cambridgeshire are 23 per cent. higher than the national average for existing rural area roads. That is 0.43 injury accidents per million vehicle kilometres, compared with the national average of 0.33. Again, that average masks considerable variations.

The worst section for accidents is that between Eye and Thorney, with double the national average—0.66 injuries and accidents per 1 million vehicle kilometres. Furthermore, it is a section of the A47 which featured in the review programme under the category "longer-term improvement". As I have already said, that could be 20 years away. As an accident black spot, it is closely followed by the Thorney to Guyhirn section, which has 0.56 accidents per 1 million vehicle kilometres, but the review removed any improvement of that section of the road from the programme entirely, a decision that defies all logic under criteria set down by the Department itself.

According to the Department's own figures for 1992, fatal crashes on the A47 in the North West Anglia health authority area cost about £9.2 million. When that is added to the £4.1 million for non-fatal crashes, the total cost to the economy reaches £13.3 million. If all the projects along the A47 in north-west Anglia were completed, I estimate that the total cost would be between £70 million and £80 million, but cutting serious accidents would mean a pay-back period of between five and seven years, which is an excellent return by any standards.

The A47 is a route of major strategic importance to the economically disadvantaged parts of northern East Anglia. Potentially, it is also a key route for the European Commission's trans-European road network. Upgrading of the A47 is regarded by local authorities as essential for the achievement of the Government's regional strategy for East Anglia, encouraging economic growth in the area and maximising the benefits to the local economy of the recent granting of objective 5b and intermediate assisted area status.

The revised roads programme acknowledges the importance of the A11 which, with the A47 to the east of Norwich, provides an important route linking the M11 to Great Yarmouth. By the same logic, it should also acknowledge the importance of linking the A1 west of Peterborough through the northern part of East Anglia to Great Yarmouth and the benefits that that would bring to the objective 5b and assisted areas along that route.

The A47 is unpleasant and dangerous for road users. Drivers do not like using it, but there is little alternative. Drivers working for the Eastern Counties Omnibus Company hate driving on the A47 and try hard to swap rosters to avoid routes that use the road. Given the forecast increase in traffic, the A47 in Cambridgeshire will soon be stretched beyond its design capacity and, as traffic increases, the accident rates are bound to worsen.

The Department of Transport seems to be under attack in certain parts of the country for building roads that local people do not want, but we want this road. The Department will have no problem in getting the road accepted by local authorities and will have the full support of my constituents. The case for the road is overwhelming according to all the objectives set out by the Department. I believe that the Department needs to consult more closely with the Department of the Environment and the Department of Trade and Industry, both of which have agreed regional economic strategies for my constituency and the surrounding areas. I ask the Minister to liaise with his colleagues and to think again.

12.17 am

Mr. Henry Bellingham (Norfolk, North-West): I shall be brief because I know that the Minister wants some time for his wind-up speech.

I endorse what my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss) said. When the White Paper was published just the other day, there was a sense of disbelief in west Norfolk. As my hon. Friend said, the A47 had been earmarked as a strategic route in the 1989 White Paper and there was to be dualling along its entire length. At that stage, there was rejoicing, but there was a sense of let-down when the road was downgraded in the new programme.

We are very concerned about the Hardwick roundabout in particular. The scheme is ready at the end of the runway, and the draft orders were published back in May last year. There have been no objections to the scheme. About three years ago, my right hon. and learned Friend the Member for Edinburgh, Pentlands (Mr. Rifkind), the then Secretary of State for Transport, said that there was no reason why it could not be built within two years. We were very confident that the scheme was to be announced as a new start this year, so one can imagine my sense of total disbelief and anger when I saw in the review that it was to be not a priority 1 but a priority 2 scheme.

We are also concerned about the Middleton-East Winch bypass, which is down in the review as a single-lane bypass. Of course we need the bypass very badly. To see it down as a single-carriageway scheme makes no sense at all when, in the mid-1970s, the Swaffham bypass on the A47 slightly further along was dualled and, going west, the South Lynn bypass was dualled. It makes no sense, 20 or 25 years on, to build a new bypass as a single carriageway.

Perhaps my hon. Friend the Minister could comment on those two important local points for my constituency. Apart from that, I entirely concur with the comments by my hon. Friend the Member for Cambridgeshire, North-East.

12.20 am

The Minister for Roads and Traffic (Mr. Robert Key): I congratulate my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss) on securing the debate. I sometimes wonder whether the constituents of any Member of Parliament realise the lengths to which their representatives go to obtain these debates. More than that, I wonder whether they realise how much effort a Member of Parliament puts into discussing problems with Ministers in the interests of his constituents. I pay tribute to my hon. Friend, who has been a tireless champion for his constituents on these road schemes, which I know are of great importance to him and to his electors.

I also welcome the interventions by my hon. Friends the Members for Norfolk, North-West (Mr. Bellingham) and for Great Yarmouth (Mr. Carttiss). I look forward to visiting Great Yarmouth later in the year at the invitation of my hon. Friend. In the six or so minutes left to me, I cannot conceivably do justice to the depth of interest in the subject which has been displayed by my hon. Friends, but I shall do my best to make a little progress.

My hon. Friend the Member for Cambridgeshire, North-East is aware that the Government have recognised that the A47 provides an important strategic link between the industrial midlands and the east coast ports and he has rightly described what happened in the 1989 White Paper, "Roads for Prosperity". It contained proposals for improving the A47 from east of Peterborough to Norwich to dual carriageway standard. That commitment has been reaffirmed in the report of the 1994 review of the roads programme which acknowledges the importance of the A47, particularly to the east of Norwich. Together with the A11 from its junction with the M11, the A47 provides an important link to the motorway network from the port of Great Yarmouth which has, of course, recently been granted assisted area status.

I am glad to hear the strong views of my hon. Friends, especially my hon. Friend the Member for Great Yarmouth, on the question of the trans-European route network—the TERN. The question of a TERN route along the A47 is still under active consideration by my Department. We are looking again at the routes all over the country and whereas, as my hon. Friend the Member for Cambridgeshire, North-East points out, in some parts of the country these routes are viewed with great suspicion and are apparently most unwelcome, in other parts they are seen as an opportunity. That is clearly the case here.

Our strategic programme has to be translated into actual construction. It has already, of course, brought significant improvements to the trunk road network in Cambridgeshire and the rest of East Anglia. These improvements have brought considerable benefits both for drivers and for the communities that have been relieved of through traffic. Record sums have been spent over recent years on roads in the region, especially the A47, the A11 and the A140. I pay tribute here to the Secretary of State who, long before he was Secretary of State for Transport, as the right hon. Member for Norfolk, South, made valiant efforts which, over the years, have been recognised in new road schemes to promote the interests of transport in East Anglia. Now, of course, he cannot say that himself, but I can and I do.

Some £71 million has been spent in Cambridgeshire alone in recent years. On the A47 in Cambridgeshire, we have seen since 1990 the completion of a number of bypasses and diversions. Further east on the A47, the Norwich southern bypass, the Narborough bypass and the East Dereham to North Tuddenham improvement have also been completed.

The purpose of the review which, I know, has upset my hon. Friends and which was the most wide ranging for many years was to place the road programme on a much more efficient and properly managed basis. I have had representations from hon. Members on both sides who have, over the years, been led to believe that their bypass was just around the corner.

It is quite clear that the prioritisation that we have undertaken has put far more certainty and far more focus into the roads programme. I understand the disappointment of my hon. Friends in this instance, but it is a rolling programme and as priority 1 schemes are completed, so priority 2 schemes move up. Then, of course, no doubt, the longer-term schemes have the opportunity of moving into the active programme.

[Mr. Robert Key]

One of the virtues of adopting that approach is that we have been able to avoid some £100 million a year of premature expenditure on scheme preparation and design. That is the cost of a goodly number of bypasses and it will be much better spent on construction. So we shall be able to build more schemes sooner and concentrate efforts on the most urgently needed bypass and motorway-widening schemes. In the process, we have been able to identify some schemes, which are no longer considered acceptable on environmental grounds, or which are not going to be needed for the foreseeable future and they have quite rightly been removed from the programme.

I am sure that my hon. Friend the Member for Cambridgeshire, North-East will appreciate that it was inevitable that such a comprehensive review of the national roads programme would have implications for A47 schemes in both Cambridgeshire and Norfolk. We will be pressing ahead with our original proposals for dualling the road from Norwich to Great Yarmouth. We concluded that the initial strategy west of Norwich should be to concentrate on relieving local communities of through traffic.

I am glad that we were able to include the Thorney bypass in the revised programme, although we were unable to justify making the section of the A47 between Peterborough and the west of Thorney dual carriageway for the time being. Similarly, we have looked very carefully at the road east of Thorney to Guyhirn. We concluded that there was no pressing need for upgrading that section and it has been withdrawn from the programme. However, proposals for improving the section from Guyhirn to Wisbech, together with improvement of the A1101 junction on the Wisbech bypass, remain in the programme. The Thorney bypass was always going to be subject to resources being available and to our review of the roads programme.

In the meantime, but not as a substitute for the bypass, traffic-calming measures for Thorney were presented to the public in November. The Highways Agency expects to announce the results of that consultation exercise by the end of the next month. Harsh decisions about funding may have to be made in some cases all over the country. Of course, we are subject to resources being available nationally. I am certain that the decisions which have been made in the review of the roads programme are the right ones.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes past Twelve midnight.

House of Commons

Tuesday 24 May 1994

The House met at half-past Two o'clock

PRAYERS

[Madam Speaker *in the Chair*]

PRIVATE BUSINESS

River Calder (Welbeck Site) Bill [*Lords*]
Read a Second time, and committed.

Oral Answers to Questions

HEALTH

Care in the Community

1. **Mr. Harry Greenway:** To ask the Secretary of State for Health what assessment she has made of the progress of care in the community; and if she will make a statement.

The Secretary of State for Health (Mrs. Virginia Bottomley): The community care reforms have got off to a good start, a view confirmed not least by the Association of Directors of Social Services—who are responsible for implementing them—and by the Audit Commission. I am confident that the foundations have been laid for a system providing quality, diversity and choice for users and carers. In implementing care in the community, we must be sure that the most vulnerable patients, especially those who are severely mentally ill, are cared for properly. That is why I am introducing a series of measures, including supervision registers and the proposed new power of supervised discharge, to protect both patients and the public.

Mr. Greenway: Is not it typical of this Government that they should put the vulnerable first? Will my right hon. Friend assure me that under no circumstances will dangerous people be released from psychiatric care into the community, where they could be a threat to others? Will she also reassure all elderly people that they will always have the hospital and medical treatment that they need, regardless of their age?

Mrs. Bottomley: We recently issued guidance on the discharge of patients from psychiatric hospitals. Patients should not be discharged unless or until it is safe to discharge them. We are also introducing supervision registers and hope to introduce the power of supervised discharge. No one wants to turn back the clock to the old days of incarceration in isolated communities, but there are psychiatric patients who need active support in the community; they need resources targeted on them and we seek to achieve that. My hon. Friend will be well aware that his constituents, like mine, have increased their life expectancy by another two years in the past 10 years. Some 16 per cent. of the population are over 65, and 40 per cent. of the health budget is spent on them—and quite rightly too.

Mr. Hinchliffe: Is the Secretary of State aware of the very real fears among many people concerned with community care over the Government's proposals to reduce the number of inspections of care and nursing homes, bearing in mind the circumstances of the recent case of a woman in a private nursing home in Dulwich who died with ulcers which had live maggots on them at the time of death? [Hon. Members: "Oh No."] Conservative Members may shout, but in my constituency an elderly lady choked to death in a private care home simply because the staff had no basic first aid training. In view of those cases, is not it nonsensical to move towards reducing inspections? Should not we be increasing them instead?

Mrs. Bottomley: Care in the community provides support for some of the most frail and vulnerable. They need access to complaints procedures and confidence in the places where they live. However, there is a difference between inspections satisfying standards of care and petty bureaucracy and interference. Many of my hon. Friends report from their constituencies concerns that left-wing authorities have been hostile to the private and independent sectors. We want to reduce some of the petty regulation. None of that should undermine the safety of the individuals concerned.

Mr. Barry Field: Has my right hon. Friend seen the threatening letter that the Liberal Democrat-controlled Isle of Wight county council sent to pensioners about care in the community, despite the fact that the Government gave the council an additional £1 million? Does not that have more to do with political ambition than with providing care in the community?

Mrs. Bottomley: My hon. Friend, who is a great champion of the Isle of Wight, is absolutely right. Care in the community has been formidably generously funded.

Madam Speaker: Question 2. Mr. Dalyell.

Mrs. Bottomley: May I finish my answer, Madam Speaker?

Madam Speaker: I thought that the right hon. Lady had finished. We seem to have made a very bad start with questions today. I hope that hon. Members will be more brisk from now on. Of course the right hon. Lady must finish what she has to say.

Mrs. Bottomley: I know the Liberals only too well in the Isle of Wight, as does my hon. Friend. I also know the Liberals in Portsmouth, who circulated scare stories about pensioners paying prescription charges. That is par for the course. We get on and deliver the policies and fund them fairly.

Human Foetus Research

2. **Mr. Dalyell:** To ask the Secretary of State for Health what representations she has had from the Research Defence Society about her policy in relation to research on the human foetus.

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville): I have received no such representations.

Mr. Dalyell: How come that in January, Ministers welcomed the public consultation that was initiated by the Human Fertilisation and Embryology Authority on donated ovarian tissue, yet come April, they agreed to an amendment tabled by the hon. Member for Birmingham, Edgbaston (Dame J. Knight), apparently drafted in their Department, to the Criminal Justice and Public Order Bill, which completely pre-empted what they had said back in January? What happened to change their minds between January and April?

Mr. Sackville: May I make it absolutely clear to the House that the drafting help that was afforded to my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) was simply to put her amendment in order? It was the subject of a free vote in the House of Commons and, in the event, it went through on the nod. Every single hon. Member was able to vote entirely according to his or her conscience.

Dame Jill Knight: Is my hon. Friend aware that I was in touch this morning with the Research Defence Society, with which I have some connections? The society assured me that it has absolutely nothing to say about the matter, and that the hon. Member for Linlithgow (Mr. Dalyell) had been misinformed. The society exists to protect research against animal liberation groups and is absolutely nothing to do with the preservation of human fertilisation from the eggs of aborted foetuses.

Mr. Sackville: While I am aware of the continuing and consistent interest in research of the hon. Member for Linlithgow (Mr. Dalyell), I am also aware of the accuracy of what my hon. Friend has said.

Health Service Staff

3. **Mr. Win Griffiths:** To ask the Secretary of State for Health what estimate she has made of the effect of this year's pay award on the number of health service staff employed by trusts and health authorities.

Mrs. Virginia Bottomley: None. The pay award is covered by efficiency savings. The estimate that we have made is that by using efficiently the extra £1.6 billion provided for the National Health Service this year, a further 4 per cent. of patients will be treated.

Mr. Griffiths: I thank the Secretary of State for that answer; I hope that it turns out to be true. If it is, I ask her to speak to the Secretary of State for Wales, because the chairman of the trust in my constituency, which is in Wales, has written on behalf of all the other trusts to tell him that the provision made for funding in Wales will result in cuts in staff and services to patients. Will she please give him advice on how to achieve the targets about which she has just told me?

Mrs. Bottomley: I have frequent discussions with my right hon. Friend the Secretary of State for Wales. Both of us are determined to put patients first and to use the resources that the taxpayer gives to the health service to provide an ever higher quality and quantity of care. That is taking place in Wales, and in England, too.

Mr. Rowe: Is my right hon. Friend aware that one of the inhibitions to the continuing astonishing success of the trusts is the continuation of the Whitley national scales? Will she give the House some assurance that that shadow, which hangs over all the negotiations conducted by trusts, will soon be looked at again?

Mrs. Bottomley: One of the most important freedoms that NHS trusts have is the ability to devolve pay and negotiations. Pay is the central cost in the NHS, and inflexible, rigid patterns, much loved by the Labour party—the poodle of the public sector unions—is an inhibition to our using our staff as flexibly and effectively as we can for patients.

Community Care

4. **Mr. Ronnie Campbell:** To ask the Secretary of State for Health when she last met representatives of the local authority associations to discuss community care changes.

11. **Mr. Heppell:** To ask the Secretary of State for Health when she last met the Carers National Association to discuss the community care changes.

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): I frequently meet the local authority associations and the Carers National Association to discuss a range of issues including community care.

Mr. Campbell: When the Minister next meets the association, will he take up the case of community care for drug abusers? Is he aware that five teenagers in my constituency have died over the past two years, four of them in the past six months? People are beginning to feel that care in the community is not quite working. Although some money has been put into it, we feel that those teenagers died without even getting to the first stage of care in the community. Will the hon. Gentleman call for an inquiry into the circumstances surrounding their deaths?

Mr. Bowis: I am sure that the hon. Gentleman, from his experience in Northumberland, will acknowledge that the inspectors of social services have recorded that a very good start has been made there. That is a great tribute to Northumberland's director of social services.

The hon. Gentleman rightly referred to one particular point about young people. I am aware of the problem affecting them—it is solvent abuse. I am also aware, as he is, that a special group has been set up to look into the problem. It will report to the health authorities, which can then take appropriate action.

Mr. Heppell: Does the Minister accept that carers of people with psychiatric disabilities need respite as much as, if not more than, other carers? How does he account for the fact that although 25,000 psychiatric beds have been lost from hospitals, only 9,000 additional places have been provided in day centres? Why is there such a disparity?

Mr. Bowis: The hon. Gentleman raises an important point and I fully accept that carers need a break. The whole House would pay tribute to the contribution of carers to care in the community and community care. That is one reason why, in this year's financial settlement for local government, we incorporated an additional £20 million for respite services for carers. We want to build on what has been achieved.

The hon. Gentleman is right to say that it is important that health authorities, when planning their services, take account of the need for respite care in psychiatric cases as well as the need for acute services. I am sure that he is pleased about the recent report from the Carers National Association, which shows that of those surveyed who had had an assessment, 78 per cent. had received some form of respite in the previous year.

Mrs. Lait: Will my hon. Friend ask East Sussex county council how it justifies the Lib-Lab policy of referring all respite care cases to county council homes, at a cost to the council taxpayer of £100 per week more than the cost in the private sector? Does he agree that that is a waste of public money—some £3.5 million a year—and will he please tell the council to stop it?

Mr. Bowis: I shall certainly pass on my hon. Friend's words to East Sussex county council. I cannot answer for Labour or Liberal policies in that area; I doubt whether the House could understand them even if the parties explained them themselves. It is right to say, however, that if authorities fail to use the range of provision available, including the whole of the independent sector—private and voluntary—they will not get the best service for those in need in their areas. I imagine that the Audit Commission, when it does its surveys, will have something to say about that.

Mr. Waterson: Does my hon. Friend agree that this would be a good moment to remind local authorities, including East Sussex county council, that the 85 per cent. figure for funding in the independent sector is a minimum, not a maximum?

Mr. Bowis: My hon. Friend is right. That 85 per cent. represents the continuation of the 100 per cent. provision for support for community care in the independent sector under the old social security system. The purpose of the 85 per cent. figure is to give stability to the voluntary and private sectors during this period of change—and, indeed, stability for the residents in the homes. It is also to give authorities and the private and voluntary sectors time to diversify so that they can make an even greater contribution to community care.

Mr. McCartney: Would the Minister like to be a bit more candid about the issues raised in the report of the Carers National Association? Did not 93 per cent. of respondents say either that services had not improved or that they had worsened since the introduction of community care? Perhaps the Minister could be a bit more open about the problems affecting both funding and access to services. That would help the Opposition to come to terms with many of the problems that carers now face—the greatest of which is the Government's disastrous policy of trying to write off the Civil Rights (Disabled Persons) Bill. Can the Minister give us some indication of whether his Department will provide more time for that Bill, so that it can become law?

Mr. Bowis: I suppose that the hon. Gentleman has read the report to which he referred. I certainly have, but, having listened to the hon. Gentleman, I suspect that he has only read the press release that accompanied it. He would learn most by reading the entire report, and I commend it to him.

If he had indeed read the report, the hon. Gentleman would know that the survey was carried out just a few months into the new community care system. More important, he would have read that 72 per cent. of carers interviewed said that they had found the assessment thorough, 75 per cent. said that they had received a break, 92 per cent. said that they encountered no difficulty in obtaining services at weekends and 92 per cent. said that they felt that their position was at least as good as it had been before, if not better.

We care about carers. We recognise the contribution that they make, and we are intent on working with them and continuing to improve care for people in need in our community.

Madam Speaker: We must be brisker.

Rev. Martin Smyth: I welcome some of the positive advances that have been made, but will the Minister bear in mind early-day motion 1176, which reveals some anxiety in the House about the concern expressed by the Carers National Association in regard to needs still to be met?

Mr. Bowis: We shall continue to work with carers, and with the hon. Gentleman, if he brings any specific matters to our attention. I cannot say off the top of my head that I am acquainted with the early-day motion that he mentioned, but we shall examine the issue carefully with the carers. As the hon. Gentleman said, progress is being made; we look forward to further progress in the future.

General Practitioners' Contract

5. **Mr. Oppenheim:** To ask the Secretary of State for Health what representations she has received about the general practitioners' contract.

The Minister for Health (Dr. Brian Mawhinney): We have received various representations on aspects of the general practitioners' contract. We welcome the continuing and constructive discussions with the profession, and others, that have resulted.

Mr. Oppenheim: Will my right hon. Friend cast his mind back to what was said when the GPs' contract was being introduced? Did not both the doctors' trade union and the Opposition go around frightening the sick and the vulnerable, telling them that cytology and immunisation would decrease and doctors' lists would massively increase? Given that the result of the contract has been a significant improvement in services, how can we trust any pronouncement from the Labour party, which was prepared to use the sick and the vulnerable as pawns in its own political game?

Dr. Mawhinney: My hon. Friend is absolutely right. The Labour party was against the contract and against deprivation payments; through its spokesman, it said that the immunisation levels were too heroic for GPs to attain. In all respects, indeed, the Labour party has been as wrong as it was about Jennifer's ear. I extend that deprecation to all on the Opposition Benches—apart from Offa, whose last Health Question Time this is. I wish her a long, happy, peaceful and politics-free retirement.

Ms Lynne: Can the Minister assure the House that under the new GPs' contract that is currently being negotiated, which would allow GPs to stop night visits other than in exceptional circumstances, other services such as night surgeries will be in place before any GP night visits are curtailed? Although I understand the reason for the changes, I think that patients' needs must be protected.

Dr. Mawhinney: The whole House will be disappointed that the hon. Lady did not rise to apologise to the pensioners of Portsmouth, and those in need on the Isle of Wight, for her party's policies. I am happy to confirm, however, that 24-hour cover, home visits and GPs' responsibility for their patients have been retained, and that over time primary care centres will be developed, providing an additional option for patients.

Notifiable Diseases

6. **Mr. French:** To ask the Secretary of State for Health what is her policy in respect of additions to and subtractions from the list of notifiable diseases.

Mr. Sackville: The notification system is one of the methods by which health authorities are alerted to the need to prevent further cases of a communicable disease. It also assists in the planning and valuation of long-term preventive strategies, such as immunisation campaigns.

Mr. French: Is my hon. Friend aware that the streptococcal infection known as necrotising fasciitis—a galloping gangrene-type disease, which can eat human flesh at the rate of an inch an hour—is not on the list of notifiable diseases? Does not he feel that the definition of "notifiable" ought to be revised to include conditions that are rampant and lethal and in respect of which early diagnosis and recognition of the symptoms may make the difference between life and death?

Mr. Sackville: I can assure my hon. Friend that if notification in any way contributed to the treatment of the individual patient or to the prevention of the infection spreading to other patients, I would certainly recommend it. I am aware that a number of severe streptococcal infections become necrotising fasciitis. It is extremely rare that there is a cluster of such cases such as that in his area, which is being investigated urgently by the Public Health Laboratory Service. I am advised by leading public health experts that, except for the Gloucestershire cluster, the pattern and number of those cases is not out of line with what is normally expected. However, I assure the House that we will continue to do everything possible to find the source of those infections and ensure that there are not further incidents.

Mr. Blunkett: I do not think that the House or the country will be at all satisfied with that reply from the Under-Secretary. Is not the cluster in Gloucestershire completely out of line with previous experience? Will the Under-Secretary tell the House not only what the PHLS is doing but what steps he and the Secretary of State intend to take to allay understandable fears by indicating how the infection is being tracked and what preventive measures are being taken across the country to ensure that this extremely worrying development is laid to rest?

Mr. Sackville: I can tell the hon. Gentleman that the literature on the subject reports that there has been only one other case of a cluster of such infections, which was in Norway. We are leaving no stone unturned in trying to locate the reason for the cluster and find the connection between the cases, some of which, tragically, have been fatal. The Public Health Laboratory Service is investigating and is giving every assistance to the local national health service staff in Gloucestershire. That process will continue until we have some answers.

Mr. Knapman: My hon. Friend will be aware of the real concern and anxiety that exist in Gloucestershire, especially in my constituency. My hon. Friends and I met the chairman and the chief executive of the local national health service trust recently and they are doing all that they can. Will my hon. Friend assure the House that the Department of Health will do its very best to try to find a cure to this awful disease at the earliest possible date?

Mr. Sackville: It appears that, when the infection reaches the stage of necrosis, the only answer is surgery. We will ensure that those cases, if they continue to appear, are treated with all dispatch.

General Practitioners

8. **Mr. Mandelson:** To ask the Secretary of State for Health how much, on average, general practitioner fundholders spend on purchasing health care in the private sector.

Mrs. Virginia Bottomley: General practitioner fundholders can purchase health care from whichever hospital best suits the needs of their patients. In 1992-93, fundholders spent just over 1.5 per cent. of their budget with non-NHS organisations. In doing so, they have improved waiting times, convenience and standards of service for patients.

Mr. Mandelson: Is not it a scandal that the draining of public funds from the national health service to private medicine has doubled since 1991 and that the national health service has been denied much-needed cash as a result of that policy? Is not it also a classic illustration of the two-tier health system that the Government are creating? Is not it now time for Ministers to impose a strict limit on that diversion of public funds to private health care?

Mrs. Bottomley: The hon. Gentleman may think that 1.5 per cent. is a substantial sum, but I have to disagree. As ever, he is scaremongering and speaks as the political apparatchik that he is. His obsession with the ownership of the means of production shows him to be the clause 4 socialist so typical of the Labour party. He failed to tell us that no patient in his constituency waits more than 12 months for treatment and that a maternity unit there recently received a quality award and has won "Heartbeat" awards. There have been a great many developments, in addition to the further initiatives pioneered by fundholders, from which all patients benefit.

Mr. Forman: Did I hear my right hon. Friend say 1.5 per cent? Does not that represent exceptionally good value for money for patients and for the health service? What proportion of general practitioners are now in fundholding practices?

Mrs. Bottomley: Yes, my hon. Friend is exactly right. A modest amount is now spent in the independent sector, but we are motivated by patients, not by the means of providing care. We want to look for ever-better value for money that provides quality and quantity of patient care. Just over 35 per cent. of the population benefits from GP fundholding practices, but we want to extend the benefits of fundholding as far and wide as we possibly can. Fundholding has changed the balance of power in the NHS and changed it in favour of the patient.

Ms Primarolo: Is the Secretary of State aware that £268 million—a not insubstantial amount—was spent in private hospitals in 1992-93? Is she also further aware that one fundholding practice in Colchester spent 90 per cent. of its funds at a local private hospital? Does she agree that it is unacceptable that taxpayers' money should be used to subsidise private hospitals and private profit when national health service hospitals are running out of money and turning patients away? When will she protect the NHS against private medicine—a move which would benefit patients?

Mrs. Bottomley: Now you see them in their true colours, Madam Speaker—a party dominated by the public sector unions. Patients will not trust the Labour party until its spokesmen renounce their National Union of Public Employees sponsorship. The Labour party is dominated by the interests of the public sector unions, not the interests of patients. I recall Barbara Castle's comments on her decision to abolish pay beds. She said that it was

"an essential political sweetener for the unions."

A recent document again revealed the vendetta against the private sector and the private bed. Our prejudice is in favour of patients.

Mr. Congdon: Does my right hon. Friend agree that fundholders have introduced innovation in their approaches to patient care, which have demonstrated the benefits of devolved budgets? Is she aware that GP fundholders not only spend under their drug budgets but spend less than non-fundholders?

Mrs. Bottomley: My hon. Friend identifies precisely why GP fundholding has been so successful. GP fundholders prescribe around 4 per cent. more cost effectively than non-fundholders. That is one of many examples of the way in which GP fundholders have used the resources at their disposal cautiously and effectively, acting as good stewards so that they can extend the quality and quantity of care. GP fundholders are not given more money, but do more with the money that they are given. We want to level up a top-tier service.

Asthma

9. **Mr. McFall:** To ask the Secretary of State for Health what is the estimate of the number of individuals suffering from asthma in each of the past five years.

Mr. Sackville: A recent estimate suggests that there are 2.5 million in the United Kingdom.

Mr. McFall: Does the Minister realise that asthma is now the health scandal of the 1990s? There are more than 3 million sufferers, and one in seven of all children suffer from the disease. In addition to the human suffering, there is an economic cost. Does he accept that any preventive medical programme should take that into consideration? When will the Government start doing something about the increasing number of asthma sufferers?

Mr. Sackville: The hon. Gentleman shows his total ignorance of the fact that the new doctors' contract includes a chronic disease management programme, which means a call and recall system for asthma sufferers to ensure that their management of the disease is properly organised, that they are monitored and that they are aware of all the medication and of all the other action that can be taken.

Mr. Jenkin: Will my hon. Friend undertake to re-examine "The Health of the Nation" and to think about setting targets for asthma prevention, as I understand happens in Scotland?

Mr. Sackville: Yes, but we believe that we shall make a great deal of progress on asthma treatment now that we have a proper monitoring programme within primary care.

National Health Service Trusts

10. **Mr. Ainger:** To ask the Secretary of State for Health how many NHS trusts have cut any senior executives' pay following the establishment of a remuneration committee.

Dr. Mawhinney: That information is not available centrally.

Mr. Ainger: That answer does not surprise me, but several independent reports and monitoring services have suggested that when trusts move from general management control within the NHS to so-called independence, the senior executives receive very significant pay rises. Moreover, the independent monitoring services have identified the pay rises for 1992-93—the latest year for which trust accounts have been published—and found that some chief executives received increases in salary of 33 per cent. Is not it possible for the Government now to instruct the trusts to set up proper remuneration committees to ensure that that gravy train is ended?

Dr. Mawhinney: I am sure that the hon. Gentleman's trade union friends will be pleased by that pat on the back. On 28 April, the Secretary of State announced codes of conduct and accountability that require NHS bodies to establish audit and remuneration and terms of service committees. That happens to be the case. I shall give the hon. Gentleman some information for which he need not look to monitoring committees: for every manager in the health service there are 26 doctors and nurses and senior and general managers represent 2 per cent. of the work force and 3 per cent. of the wages bill. What is most important, and what the Labour party has again demonstrated that it does not understand, is the fact that the health service exists to deliver more patient care, of higher quality, and at greater convenience, year on year. That is what is happening, and managers are playing their part in making it happen.

Mr. Hayes: Does my right hon. Friend agree that the perpetual scaremongering by the Labour party does appalling damage to morale in the health service, where there is really a hell of a lot of good news? Is not that scaremongering nothing more than cynical manipulation of the fears of the elderly and frail?

Dr. Mawhinney: My hon. Friend should understand that Labour scaremongering is really embarrassment and an attempt to cover up the paucity of Labour health policy. The truth is that for every 100 patients treated in the year before the reforms, this year we expect to treat 121—a marvellous record. When the Labour party was in power, 1 per cent. more patients, on average, were treated in the health service each year. Since our reforms, more than 5 per cent. more patients, on average, have been treated per year. That is a measure of the co-operation of the doctors, the nurses, the other professionals and the managers in developing more and better health care.

Mr. Blunkett: How the Minister knows that, when he does not collect the information centrally, is beyond all of us. In view of his original answer—that the information is not collected centrally—perhaps he will tell us why the Gloucestershire royal trust, in a letter to me dated 13 April, said that it would not answer any questions from Opposition Front-Bench spokesmen—[HON. MEMBERS: "Hear, hear."]—and would answer only to the NHS management executive? And does not that "Hear, hear" from Conservative Members reveal that the Conservative party has abandoned even the least pretence of believing in democracy?

Dr. Mawhinney: First of all, as the hon. Gentleman knows, the decisions of the trust are a matter for the trust. [HON. MEMBERS: "Oh!"] The decisions of the trust are a matter for the trust. As the hon. Gentleman and Labour Members continually denigrate the work of those who work in the health service, it may be that the trust has decided to side with those who work in the trust providing more and better patient care, rather than pampering to the political ideology of the Labour party.

Practice Nurses

12. **Mrs. Roe:** To ask the Secretary of State for Health how many practice nurses are currently employed by general practitioners; and what the figures were in 1979.

Dr. Mawhinney: Many practice nurses work part time. Translated into whole-time equivalents, the number rose from 992 in 1979 to 9,605 last year—an increase of nearly 900 per cent.

Mrs. Roe: Does not that figure show clearly the phenomenal development in primary care and general practice since 1979? Can my right hon. Friend confirm that the opportunity for GPs to delegate a wide range of tasks to practice nurses both eases their work load and makes a significant contribution to the achievement of targets on immunisation and screening?

Dr. Mawhinney: As always, my hon. Friend has it exactly right. She will be pleased to know that in 1979 there were approximately 20,000 practice staff and in 1993, the figure had risen to approximately 54,000. To put it another way, in 1979, we were spending £43 million on practice staff and last year, we spent £514 million on practice staff, which has enabled GPs to do precisely what my hon. Friend identified.

Mr. Bayley: Will the Minister agree to bring in a change to the funding of the health service so that the same capitation funding formula applies to fundholding and non-fundholding GPs, the two-tier system is abolished and the patients of both types of GP have an equal opportunity to benefit from practice nurses?

Dr. Mawhinney: There no two-tier system, as the hon. Gentleman knows—there is a proper allocation of capitation resources to fundholders and non-fundholders. Indeed, I believe that I am right in saying, if he casts his mind back to the evidence that I gave to the Select Committee when he was a member of it, that some of the latest information suggests that GP fundholders may be receiving marginally less per number of patients than non-fundholders.

National Health Service Patients

13. **Mr. Thurnham:** To ask the Secretary of State for Health what is the latest figure for the number of patients treated in NHS hospitals in the North Western region before 1 April; and what was the equivalent figure in (i) 1990-91 and (ii) 1978-79.

Mr. Sackville: Hospital patient activity in the former North Western region rose from 503,000 in 1978-79 to 711,000 in 1990-91 and 775,000 in 1992-93.

Mr. Thurnham: Will my hon. Friend join me in congratulating Bolton hospitals trust on slashing waiting lists to nil for those who have been waiting more than 18 months and to half for those who have been waiting more than 12 months? Does he look forward to Bolton's new £45 million hospital—the largest in the north-west—which will slash waiting lists even further?

Mr. Sackville: My hon. Friend and I have a common interest in congratulating Bolton hospital on its achievements over the past 10 years. I pay a tribute to my hon. Friend for the part that he played in securing that wonderful new hospital for Bolton.

Mr. Lewis: Is the Minister aware that I waited 20 months for a first appointment with a specialist in Bolton hospital? Is not that a hidden waiting list?

Mr. Sackville: We have made enormous progress in cutting down the unacceptably long waits. The hon. Gentleman's GP had the option to ensure that his case was treated as a priority.

Priorities And Key Challenges

15. **Mr. Brandreth:** To ask the Secretary of State for Health what representations she has received following the publication of her Department's paper on priorities and key challenges 1994-95 to 1997-98; and if she will make a statement.

Dr. Mawhinney: Since the publication of that document on 18 April, a number of questions have been asked by one hon. Member and we have received a small number of telephone calls from members of the public. No representations have been made.

Madam Speaker: Mr. Brandreth.

Hon. Members: Hear, hear.

Mr. Brandreth: The House has clearly mistaken me for my hon. Friend the Member for Crawley (Mr. Soames). Can my right hon. Friend confirm that the national health service is the largest organisation in Europe, costing about £100 million per day? Can he also confirm that the service is being used by more patients than ever and that, where three years ago, 100 patients were treated in hospital, it is now 121? Will he confirm that his key priorities will be best practice and increased patient care?

Dr. Mawhinney: I can confirm exactly what my hon. Friend said and that that is true in his part of the country and in Chester. The Government have presided over a huge increase in the number of patients treated, a significant increase in the quality of treatment, a huge improvement in the convenience of that treatment to patients and a major expansion—64 per cent. in real terms—in resources delivered to the health service for the benefit of patients. That is a record of which we are proud and to which the Opposition can only aspire.

PRIME MINISTER

Engagements

Q1. **Dr. Wright:** To ask the Prime Minister if he will list his official engagements for Tuesday 24 May.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Dr. Wright: What does the Prime Minister say to the woman in my constituency who phoned my office the other day to thank me for taking up her husband's case in relation to the Child Support Agency, but who said that I could close the file—the file that I have here—because her husband had just killed himself? Has not the time come when it is no longer enough to say that we all support the principle of the agency—which we do—or that it is being kept under continuing review—which it no doubt is? Has not it become a monstrous and inhuman shambles that has to be changed and changed now?

The Prime Minister: The hon. Gentleman knows what I had to say about that recently. I have nothing to add to that today. On the personal circumstances that he mentioned, neither he nor I can know all the circumstances behind that tragedy. On reflection, he may think that it was unwise to raise it in that fashion.

Sir Cranley Onslow: As the British electorate clearly cannot expect Opposition Members to spell out the full horrors of the sort of centralised and federal European Union for which they want people to vote on 9 June, will my right hon. Friend consider inviting Mr. Delors to come over here and do the job for them?

The Prime Minister: The President of the Commission is welcome here in the United Kingdom at any time. I hope that when he comes, if he comes, he will spell out yet again that he believes that the fact that we are not part of the social chapter will make us a great magnet for external investment—I am sure that he is right about that.

Mrs. Beckett: Does the Prime Minister recall what his party promised the British people in its last Euro-manifesto? It included the promise that the Conservatives would not put value added tax on gas and electricity, saying:

> "We stand by that pledge; we will honour it".

Has not it become clear that the Government are incapable of honouring any pledge?

The Prime Minister: It is not remotely clear. Like every Government, we have to respond to the reality of events in the interests of the people of this country. The right hon. Lady should bear in mind some of the contradictions in what she and her colleagues have said and done. On one day they attack our tax proposals and on the next day they propose a string of new taxes. They then ask for fresh expenditure, but the shadow Chancellor says that there is no commitment. There is no consistency whatsoever in any of their policies.

Mrs. Beckett: If that is the Prime Minister's answer to why the Government broke the promises in their last Euro-manifesto, will he explain why, at the general election in 1992, he and his party promised not to extend or increase VAT, not to increase national insurance contributions and not to impose any other taxes and charges, and even promised tax cuts year on year? Why is it that, in manifesto after manifesto, the Government make promises that they then betray?

The Prime Minister: The right hon. Lady is misquoting and misunderstanding. If she wants to talk about movements away from manifestos, she might look at the distinctions between the European socialist manifesto to which the Labour party is committed and the domestic Labour party manifesto for the European elections. She might then explain to the British people why, in this election, what it is saying domestically is not what it has agreed to internationally.

Mrs. Beckett: Did not the Government prove at the last Euro-election and general election that they will say and do anything to get elected? The people now know that after the broken promises of the Euro-election and general election campaigns. Why should anyone trust the Government ever again?

The Prime Minister: The right hon. Lady will also know that we made it clear that we would create the right circumstances for growth, and we have; that we would bring unemployment down, and we are; that we would get interest rates down, and we have; and that we would create the conditions for sustained growth without inflation, and we have.

Only a few weeks ago, the Labour party was signing up to promises in Europe to which it dare not admit domestically in the current election. If the right hon. Lady will not admit to that, she will find that, throughout the campaign, quote after quote after quote of what the Labour party has signed up to not long ago will be brought up. The Labour party is now trying to duck, dodge and weave around those promises because it knows that the British people will not stand for its policies on Europe.

Mr. Dykes: I thank my right hon. Friend for yesterday reminding the British public yet again that we gain enormously in real sovereignty and strength in Europe by working closely, harmoniously and positively with the other member countries.

The Prime Minister: As I said last night in my speech, which I know that my hon. Friend will have read, our policy is to make a success of the European Community and to make sure that it regains the affection of people, not only in this country, but right across Europe. That is the policy of the Government, and I set out a range of ways in which we believe that that can and must be brought about. It is essential to the future well-being of the country that we are able to ensure not only that the European Union is accepted by the people but that it continues successfully for many years to come.

Mr. Ashdown: The Prime Minister will be aware that, for as long as he continues to hold firmly to the view that there will be no question of negotiation with the men of murder in Northern Ireland for as long as they continue with violence and unless and until they renounce it permanently, he will continue to enjoy the full support of the vast majority of this House and, I believe, the majority of the country. However, is he aware of just how much the momentum for peace in Northern Ireland is now evaporating? Does he accept that it is urgent and important that the British and Irish Governments should now put forward joint proposals based on the joint declaration through the constitutional parties in Northern Ireland, if the high hopes for peace which we enjoyed at Christmas are not to be killed off by the new wave of terrorism being implemented by both sides?

The Prime Minister: I think that the whole House will share the right hon. Gentleman's wish to see an end to violence. Where I would take issue with him is in his assertion that there is an evaporation of the movement toward peace in Ireland, both north and south of the border. I do not believe that that is the case, and it is not the information which comes to me.

After what has happened in recent weeks, but one question remains to be answered: when will the IRA give up violence? There never has been any justification—now, clearly and undoubtedly, there is not a single shred of justification in anyone's mind—for its barbaric murders. It is losing support on all sides and becoming increasingly isolated. We should stick with the joint declaration and pursue the discussions that we are having with the constitutional parties and with the Government of the Republic of Ireland. We should also pursue the mechanism that we have been following for the past two years, which is bringing us nearer to peace than we have been for many years.

Mr. Kynoch: Will my right hon. Friend take time to consider what would be the impact on traditional British interests were we to forgo completely the national veto in Europe, as urged by the sell-out Liberal Democrats?

The Prime Minister: I think that it is—

Mr. Skinner: It is that lot behind me.

The Prime Minister: Tempting though it is to respond to the hon. Member for Bolsover (Mr. Skinner), I shall respond first to my hon. Friend.

It is inconceivable that any responsible party would wish completely to eliminate the national veto or dilute it in any way. On vital issues, it is important that that national veto remain. I shall give just one example. Had we had no national veto at Edinburgh, where we discussed future financing, under qualified majority voting we could have lost our rebate of £3 billion a year, which was so hard-fought for by my predecessor and retained in those discussions.

Q3. **Mr. Ainger:** To ask the Prime Minister if he will list his official engagements for Tuesday 24 May.

The Prime Minister: I refer the hon. Member to the reply that I gave some moments ago.

Mr. Ainger: The Prime Minister will be aware—it is now a matter of public record—that, on 20 April, the Minister for Social Security and Disabled—

Madam Speaker: Order. I am sure that the hon. Gentleman will put a direct question to the Prime Minister.

Mr. Ainger: Is the Prime Minister aware that, on 20 April, the Minister for Social Security and Disabled People instructed his civil servants to produce amendments designed to ensure that the Civil Rights (Disabled Persons) Bill would be talked out? Is he also aware—I am sure that he is—that, only 16 days later, the same Minister denied to the House that he gave those instructions? Will the Prime Minister now do the honourable thing and, first, apologise to the 6.5 million disabled people for the deceitful and shabby way in which they have been treated and, secondly, sack the Minister for Social Security and Disabled People for misleading the House, the disabled and the country?

The Prime Minister: The answer to the direct questions is certainly not.

The Government's record on assisting people who are disabled is very good. We have made it perfectly clear that, over the next few months, we shall consult to try to find a Bill that will achieve assistance for disabled people, but not a Bill with a cost of £17 billion. Until and unless the Opposition say that they are prepared to impose costs of £17 billion on private industry, their attitude over the Bill is utterly and totally bogus.

Mr. Allason: Tonight, the House will be asked to review the provisions of the prevention of terrorism order. Does my right hon. Friend agree that it is high time that the abuse of the broadcasting ban, which is so widely circumvented by all the broadcasting media, should be reviewed so as to prevent known terrorists from appearing on television and having their voices dubbed by out-of-work actors from Northern Ireland?

The Prime Minister: I understand the frustration that my hon. Friend feels about that matter. A number of complex matters are involved, but I will certainly discuss them with my right hon. Friend the Secretary of State for National Heritage.

Q4. **Mrs. Bridget Prentice:** To ask the Prime Minister if he will list his official engagements for Tuesday 24 May.

The Prime Minister: I refer the hon. Member to the reply that I gave some moments ago.

Mrs. Prentice: Why do so many people believe that foreign millionaires can queue jump their way into Britain? Can they do that because they give substantial donations to the Conservative party?

The Prime Minister: I do not think that the hon. Lady quite understands the immigration rules, which are very complex. If she did, she would know that for a long time —even under the last Labour Government and I believe since 1970 or before—the immigration rules have allowed people of independent means to come to the United Kingdom. That has been the position for a very long time.

Mr. Bill Walker: During his very busy day, will my right hon. Friend consider having a wee dram to celebrate the fact that the Scotch whisky industry is now in its 500th year? Is he aware that that industry provides massive employment in Scotland, provides export earnings of £2,000 million and brings pleasure to many?

The Prime Minister: I am more amenable to the suggestion that I might have a wee dram than I am to many that I get these days, and I would be happy to take up that suggestion. I am happy to join my hon. Friend in his congratulations to the Scotch whisky industry, which has been a huge success. It is increasing its exports of a product which is enjoyed in every part of the world.

Mr. Bayley: On a point of order, Madam Speaker.

Madam Speaker: After the statement, please.

Competitiveness

3.30 pm

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Michael Heseltine): With permission, Madam Speaker, I should like to make a statement about the Government's White Paper, "Competitiveness: Helping Business to Win", which we are presenting to Parliament today. The Government are also presenting to the Trade and Industry Select Committee a memorandum replying to its report on the "Competitiveness of UK Manufacturing Industry". The report is a valuable contribution to the competitiveness debate. Its analysis and conclusions have much in common with the White Paper. I am very grateful to the Committee for its work in this area.

Our prosperity as a nation depends on the wealth that we generate. Our companies must be able to compete with the best in the world. There is no simple agenda; nor is there a totally accurate snapshot at any one time of how well we are doing. We face a continually moving target. Inexorably, our competitors move on, developing new products, finding better ways of doing business, and strengthening their capabilities. In a thousand different ways, they seek continually to improve their competitiveness.

Our analysis in the White Paper is sweeping. We have addressed the principal factors of competitiveness. We have considered long-term trends. We have looked at our performance over successive economic cycles. We have addressed our strengths and our weaknesses.The White Paper includes a number of major announcements. It also refers to many continuing reviews and indicates further announcements that will be made later this year.

The heart of any analysis of competitiveness must be the macro-economy. The United Kingdom is today in a powerful position: gross domestic product is rising; unemployment continues to fall; underlying inflation is at the lowest level for a generation; manufacturing productivity is at an all-time high; interest rates are among the lowest in the Economic Community; total plant and machinery investment has risen by more than 50 per cent. since 1979; and exports are at record levels. We are thus in an excellent position to take advantage of the recovery as it takes hold in the rest of Europe. In addition, the GATT agreement will open markets further and give a boost to world trade of more than 10 per cent. over the next decade.

The White Paper considers in detail the vital contribution of educational standards and training opportunities. With permission, my right hon. Friend the Secretary of State for Employment will make a separate statement later today setting out a range of new initiatives to improve standards in education and outlining new plans for training and apprenticeships. The White Paper also covers a wide range of other areas.

The adequate supply of finance for business is a matter of continuing concern. Under the Treasury's industrial finance initiative, my hon. Friends the Financial Secretary and the Economic Secretary are conducting a wide-ranging review of the workings of our capital markets, savings, the flow of funds to business and the implications for taxation and other policies. Their findings will inform the Budget decisions. In the meantime, my Department will be considering ways of extending the "business angels" concept to provide greater informal investment to small companies. The White Paper also sets out our commitment to extending the private finance initiative as a means of funding major infrastructure investment.

Businesses are naturally concerned about the late payment of debt. There is no common view about what should be done, but it is widely recognised that there needs to be a change in business culture.I can tell the House that the Government will in future require all Departments and their agencies to comply with the Confederation of British Industry prompt payment code and to set out their performance against that in their annual reports. *[Interruption.]*

We shall work with the business community to develop further the proposal for a British standard for prompt payment. We shall take the necessary steps to implement proposals to require public companies to state their payment policies in their directors' reports. We shall simplify court procedures for debt recovery and we shall review court systems with a view to increasing the scope of the informal small claims procedures. If there has not been a significant improvement in the next two years, we shall reconsider the case for legislation. *[Interruption.]*

The quality of management has a vital influence on the performance of our businesses. Our best managers are as good as any in the world, but we need to raise the average. The White Paper sets out our proposals for extending best practice. The proposals build on my Department's benchmarking challenge to trade associations. Business Links, which will be open in all parts of England by the end of next year, will be the focal point for new services, ranging from consultancy and innovation to design.

I can announce two further initiatives by my Department to improve management performance. First, we shall set up a network of regional supply offices in England to work with private and public sector purchasers to promote supply chain partnerships. *[Interruption.]* Secondly, we shall work with the British Standards Institution and with industry to develop BS 5750 and product certification standards further to promote continuous improvement. *[Interruption.]*

Madam Speaker: Order.

Mr. Heseltine: Innovation is a key driver of competitiveness. Last year's White Paper on science, engineering and technology explained how the Government intended to direct their own substantial research and development expenditure towards competitiveness. There has been much progress since. The present White Paper builds on those changes.

The higher education funding councils will increasingly reward universities for the work that they do in partnership with industry. That will amount to a significant proportion of the relevant income from industry. The proportion of the councils' agreed total budgets used for that purpose will increase. The councils will take full account of the results of the technology foresight programme in allocating the funds between subjects. Individual academics will be rewarded for undertaking collaborative work with industry. *[Interruption.]* My Department will work with financial institutions and industry to help achieve a joint understanding of the importance of innovation.

We shall introduce a range of new services through Business Links to help technology transfer. New funds will be provided for innovation and technology counsellors in Business Links to provide advice and guidance to companies on innovation. "Innovation credits" will be made available through Business Links to encourage smaller firms to discover the value of outside help by offsetting the cost for first-time users. *[Interruption.]*

Madam Speaker: Order. Would the Secretary of State forgive me? I should be much obliged if the House would now settle down. It is a long statement. *[Interruption.]* Order. It is a long statement. There are often complaints that not enough Members are called to ask questions after statements. That can be done only if the statement is heard in the first place.

Mr. Heseltine: Networks of local contacts will be established across the United Kingdom to make local sources of innovation support more accessible. National centres of expertise will be linked through an actively managed network. We shall also help the process of innovation by increasing the exchange of people between industry and higher education through an extension of the successful teaching company scheme.

On support for exports, my Department is more than three quarters of the way to meeting the objective that I announced last year of bringing in 100 senior export promoters from the private sector. We shall extend this initiative by helping to fund about 70 export counsellors with private sector experience to work in each of the larger Business Links.

We shall be developing a partnership with the banks to reach more potential investors and continuing our drive to encourage firms to improve their language skills. Once the Business Link organisation approaches completion at the end of next year we shall have in place the most comprehensive export support network this country has ever seen.

The United Kingdom has an exceptional record in inward and outward investment. We have attracted the lion's share of inward investment in the European Community from United States and Japanese companies over many years. The White Paper contains a package of measures to help the United Kingdom to maintain its leading position. We shall also be looking to see how we can better help companies to exploit competitive advantage through outward investment.

The quality of our communications and transport infrastructure underpins the competitiveness of our companies. We already have one of the highest levels of investment in the world in telecommunications, including fibre-optics and mobile networks. We are giving further encouragement to the development of digital broadcasting technologies. The White Paper sets out our plans to open up more of the radio spectrum for commercial use.

The future of the BBC will be dealt with in a further White Paper to be published shortly. We shall be announcing later in the year the results of our review of the restrictions on ownership of broadcasting and newspaper companies. We shall be publishing a consultative document on the Post Office and responding to the recent report of the Select Committee on Trade and Industry.

The White Paper set out our policies across the full range of transportation. Public investment in roads, rail and public transport has nearly doubled in real terms since 1978-79. The private finance initiative is now being applied to the development of significant infrastructure projects, such as the Heathrow express, the modernisation of the west coast main line and the channel tunnel rail link.

Work is in hand on the exploitation of new technologies for the more sophisticated road traffic management systems needed to cope with tomorrow's demand.

During the 1980s, almost all the United Kingdom's principal airports and many of the smaller ones benefited from major investment to improve facilities and increase capacity. Within the European Community, only Germany has invested more per passenger. Most of this investment has come from the private sector, particularly following the privatisation of the British Airports Authority. Following work by the Civil Aviation Authority and Government Departments, we shall be consulting on the proposal that National Air Traffic Services should be established as a private sector contractor to the CAA. This will facilitate the substantial investment needed in this sector, while delivering greater management efficiency. The United Kingdom's high safety standards will be maintained through continuing regulation by the CAA's safety regulation group. In view of the increased pressure on aviation facilities in the south-east, we shall also be seeking views on the scope for developing business aviation at the Ministry of Defence airfield at Northolt.

London is one of the world's great cities and most important economic centres. We have recognised this by establishing a new Government office for London, in close partnership with public and private sector bodies, to provide concerted delivery of Government services. We welcome the steps being taken by the private sector, the Corporation of London and the Bank of England to enhance London's position as a financial centre.

The competitiveness agenda extends to all areas of the country. We have already brought together the delivery of key Government services by establishing Government offices for the regions. I have also announced the concept of regional challenge, which will enable eligible areas of England and Wales to compete for part of the money available from the European regional development fund. I can now tell the House that the first competitions in 1994 will involve total prize money of between £150 million and £200 million.

We will consider later this year how to extend the "challenge approach" to further domestic programmes. The Government are determined to make further progress on deregulation. We have just completed the first stage of the review of the 3,500 regulations affecting business and more than 500 measures have been identified for action. The Health and Safety Commission has carried out the most extensive review of health and safety legislation for 20 years. The commission has made wide-ranging recommendations. The Government welcome and accept those, and my right hon. Friend the Secretary of State for Employment will set out the details in his statement.

A new deregulation task force has been set up to act as the focal point for further Government initiatives. Those will include proposals to set up equivalent private sector led task forces to scrutinise European legislation in conjunction with business men from other EC countries. In addition, the Government are looking at ways to simplify and improve company and insolvency law.

As part of their audit of competitiveness, the Government have looked in upon their own administration. The Efficiency Unit of the Cabinet Office will shortly be starting a review of management planning and control systems in Departments to ensure that they reflect best practice in the public and private sectors. We shall publish a White Paper on the civil service—

Hon. Members: Hear, hear.

Madam Speaker: Order. The House must come to order.

Mr. Heseltine: We shall publish a White Paper on the civil service setting out our conclusions on the Efficiency Unit's review of career management and succession planning for the senior civil service.

Finally, we shall evaluate the "competing for quality" initiative to see how best it can be developed in future years, including making greater use of innovative ideas and approaches from the private sector. The extensive range of Government initiatives that I have announced today will all be contained within the present public expenditure control ceilings, despite the significant extra resources that will be made available for education and training. But competitiveness goes far beyond the actions of Government. The White Paper sets out and reports on a formidable agenda for change and improvement across both the public and private sectors. It embraces the activities of all our companies and harnesses the energies of all our people. I commend the White Paper to the House.

Mr. Robin Cook (Livingston): I welcome the admission by the President of the Board of Trade that Britain faces a problem of competitiveness. May I help the President by putting that problem more bluntly than he dared? Will he confirm that since 1979 Britain has moved from a £7 billion surplus in manufactured trade to a deficit of £8 billion and that since 1979, alone among the G7 countries, Britain's industrial output has barely risen? Will he confirm that since 1979, as a percentage of gross domestic product, Britain's industrial investment has almost halved? *[Interruption.]* If Conservative Members think that that has nothing to do with competitiveness, they do not understand the nature of the modern world.

Will the President confirm that since 1979 Britain's income per head has fallen from the European average to below the European average and the European Commission now expects growth in Britain in 1995 to be lower than in Germany, France or Italy and will he remind the House which party has been in power since 1979?

May I assure the President that he will have the total agreement of the Opposition in giving priority to restoring the competitiveness of British industry? All that we would ask first is that he agrees that the need to restore that competitiveness exposes 15 wasted years that the Government have spent in power.

May I compliment the President on the glitzy presentation of his White Paper, which puts it in the coffee table class of White Papers, but may I also warn my colleagues that those of us who have had the chance to examine briefly its contents find that the gloss rubs off easily? I have been able to find only two specific proposals from the President's own Department: an uncosted proposal for regional supply offices and an unspecified proposal to improve British Standard 5750.

Does the President recognise that it exposes the bankruptcy of his White Paper that on the day Trade Indemnity reports the biggest reported late payment of debt within British industry, he proposes to look at the issue again in two years' time?

What was the point of felling all the trees to provide a 160-page White Paper if the President did not have one new idea to put in it? How much did it cost? Was there no better way of spending the money in his Department? Will he confirm from the last passage in his statement that the document and the entire review has not provided one extra penny for spending in his Department—a Department with a budget that is now at the bottom of Whitehall—and is that not a far more eloquent statement than the White Paper of his Government's priority for industry?

How dare the President congratulate the Government on setting up an office for London, when they will not let the people of London vote for a strategic government for London.

Will the President share with the House, as he did not in the statement, the contents of the health and safety review? Will he confirm that it states that 100 health and safety regulations—40 per cent. of the total legislation on health and safety—are to be scrapped? Why cannot the Government accept that better safety is not a burden on business but a saving to industry because it cuts the cost of injury, compensation and lost production? Competitiveness cannot be built on taking greater risks with the work force.

If the Government are really serious about addressing competitiveness, why does the White Paper not offer a single new measure to stimulate research and development? Why does it offer not one new policy to boost industrial investment? Why does it not do anything to achieve a better balance between the higher level of dividend payments and the poor level of profits ploughed back into business? Why does it not offer any plan to tackle the crisis in the defence industries or to help convert the skills and machinery in the industries to civilian production?

We are grateful to the President for producing the White Paper because it exposes how little the Government have to offer industry. It is a bankrupt statement from a Government on the verge of liquidation. It is an admission of 15 years of failure in the past and a confession that they have no policies for the future. It confirms that the only service that the Government can now provide the nation is to make way for a Government with fresh ideas, which the White Paper has so dismally failed to provide.

Mr. Heseltine: In anticipation of the intervention by the hon. Member for Livingston (Mr. Cook), I assumed that it would be as bad as it turned out to be. It occurred to me that it would be wholly beyond the hon. Gentleman's ability to rise to take part in any sort of serious intellectual analysis of the problems facing the country. I can say only how sharp a contrast there is between the political rubbish spoken from the Opposition Front Bench and the intellectual input of the Labour-led, all-party Select Committee that has reported to the House and tried to deal with the issue seriously.

If I had to defend the record of the 1980s, I would do so with pride, because I remember what we inherited in 1979. I know that lurking behind the hon. Gentleman's statement is a yearning to put the unions back in power, to take back into public ownership the industries that we have privatised, and to continue on Britain's relative industrial decline, which had haunted us for decades. Despite the trivialisation by the Labour party, which would not understand a debate about competitiveness even if it was published by Transport House, we now know that Britain is poised to seize an initiative in the world that has been denied us for decades.

The 1980s was the first decade since the war in which Britain's economy grew faster than that of France, Germany and Italy. In the 1960s and 1970s, which the hon. Gentleman should remember, Britain had the slowest growth rate in the EC and the G7 countries. In the 1980s, the UK had the fastest growth in manufacturing productivity of the G7 countries. In contrast, in the 1960s and 1970s, we were at the bottom of the league. In the 1980s, for the first time in decades, we held our share of world manufactured exports after decade upon decade of decline. In the 1980s, Britain's industrial relations improved to become the best since records were first kept in this country. Britain has the highest proportion of people of working age in employment of any EC country. [Hon. Members: "Reading!"] Yes, I have page after page of the record of the 1980s.

The reason why I can produce a track record of which we are proud is that the facts are on our side. When the hon. Member for Livingston produces his competitive White Paper, we shall find that in 15 years of opposition all that the Labour party has come up with is 15 reviews that it intends to conduct. It has no real ideas, no real proposals, and that is just as well, because it has no real prospect of power.

Several hon. Members *rose*—

Madam Speaker: Perhaps we might have some order before we proceed.

Mr. Kenneth Baker (Mole Valley): I congratulate my right hon. Friend not only on his White Paper, but on sinking the shadow spokesman's campaign before it was even launched.

Does my right hon. Friend agree that the long-term competitiveness of British industry depends essentially on the education system of our country and on our schools? Will he, with our right hon. Friend the Secretary of State for Education, build on the initiatives—if necessary with additional resources—undertaken in the 1980s to improve the technological education in our schools, including computer-assisted learning, technology colleges, and technology for all children up to 16, so as to ensure that all our young people, whenever they leave school, have an expertise and knowledge of the new technologies on which the future prosperity of our country will depend?

Mr. Heseltine: I am most grateful to my right hon. Friend, who personally played a significant role in advancing those causes in both the Department of Trade and Industry and the Department of Education and Science as Secretary of State. I hope that he will understand if I say that my right hon. Friend the Secretary of State for Employment will be dealing with those matters, and I believe that the House will be excited by what he has to say.

Mr. Don Foster (Bath): Does the President of the Board of Trade agree that his statement and the mode of its delivery have at least given short-term job security to his right hon. Friend the Prime Minister? Does he further agree that small businesses should be the engine room of recovery but that his statement today has given little support [illegible] small businesses? Indeed, many of them will be very disappointed that the only action that he is taking on late payment of debt is to establish what is little more than a charter mark. Will he not at least rethink that element of his statement and introduce urgent legislation in respect of late payment of debt to small businesses?

Mr. Heseltine: The hon. Gentleman will regret that intervention when he reads the White Paper. There are now 600,000 more small businesses than there were when the Government were elected. A recent publication of figures by Barclays shows that a net growth of small businesses has resumed after the recession. There is no doubt in the minds of small business men where their best political interests lie, and that is on the Government Benches.

Sir Michael Grylls (Surrey, North-West): Does my right hon. Friend accept that people will welcome this serious White Paper, which will build on the competitiveness of Great Britain which, as he said, is so essential? Will he try to build on the policies that our right hon. and learned Friend the Chancellor introduced in his Budget —the enterprise investment and Venture Capital Trust schemes—to provide equity and loan finance for small and medium-sized firms on acceptable terms? Is not a good deal more work needed there? Will he use his influence to carry on the good work started by the Chancellor in his recent Budget?

Mr. Heseltine: I am grateful to my hon. Friend, who is very much associated with support for small companies. We place great importance on the enterprise investment scheme and we are consulting on the Venture Capital Trust scheme proposed by my right hon. and learned Friend the Chancellor. We shall also build on the opportunities which now exist, especially by encouraging awareness among the local Business Links of potential investors—business angels—who are increasing in number. It is important to draw their existence to the attention of small businesses.

Mr. Richard Caborn (Sheffield, Central): I want to raise a point about the procedure surrounding the release of the response to the Select Committee report, which unfortunately is not before the House today because it must first go to the Committee. However, it should be part of our discussion on the White Paper. Should not that response be delivered to hon. Members before they put questions on the White Paper? Otherwise, we have only half the information needed for debate. Perhaps there could be a one-hour embargo, or something of that nature, so that hon. Members can be—

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Why is the hon. Member here?

Mr. Caborn: I am trying to ensure that hon. Members are well informed. Obviously, some of them are quite ignorant of the points that I am raising.

I hope that my suggestions will be given serious consideration. Many important points are not in the White Paper, but in the response to the Select Committee report. The Committee's analysis is not dissimilar to that contained both in the White Paper and in the response to the report. However, I am concerned about some of the language used, such as "re-examine", "under review", "reviewing" and "considering".

I want to raise three points with the President of the Board of Trade. Why did he not respond to the suggestion for a training levy, which was forcefully promoted in the report? There is also no response to our suggestion on the financing of small and medium-sized businesses or to our point about hostile takeovers. The Committee said that technology transfer should be viewed as a framework of operation. Unfortunately, there is only a part response to that point. We want a full response to the points raised.

Mr. Heseltine: I am grateful to the hon. Gentleman because, as I said earlier, the report for which he is responsible as Chairman of the Select Committee is very important. It attempts to analyse many of the problems seriously and, in my view, very constructively—in sharp contrast to the attitude of the hon. Member for Livingston (Mr. Cook).

There were few points in the Select Committee report with which the Government disagreed. There were some, but not many. In the memoranda that we published we clearly set out our reasons for any disagreements. For example, we do not believe that a training levy is the right way to proceed. It would be bureaucratic. It has been tried, but it did not find general acceptance—although we very much welcome the interest in further and better training operations. My right hon. Friend the Secretary of State for Employment will talk about that shortly.

I sympathise with the hon. Gentleman as I was not able to help him in his request that I make the White Paper available to him in advance of the rest of the House. That is the convention and I felt that I had no alternative but to stick with it.

Several hon. Members *rose*—

Madam Speaker: Order. It seems that I have to remind hon. Members that we are not in debate on the White Paper. We are questioning the statement on the White Paper made by the President of the Board of Trade. May I now have brisk questions and answers please?

Mr. Tom King (Bridgwater): Our country's competitive position is excellent at present, and the supporting resources provided by the Department are much improved. Many excellent British companies are doing outstanding work in exports. Does my right hon. Friend agree, however, that many companies have not yet realised what opportunities exist overseas, and how vital those opportunities are to our balance of payments? Will he reinforce his efforts to ensure that every company in the country realises that there may be very good prospects in export markets as well?

Mr. Heseltine: I am wholly in sympathy with my right hon. Friend. Trying to achieve that result, however, is an enormous management task. We must face the challenge of establishing a Business Links network in every major town and city, setting up databases to find out exactly which companies are capable of exporting and then securing the personnel to visit, encourage and guide those companies.

We have been helped immensely by the private sector, which has now seconded nearly 80 people to my Department, and I have announced today that an additional 70 will be recruited in the provinces to reinforce those arrangements. The fact that our exports are at an all-time high, while exports to the non-EC countries are 8.5 to 9 per cent. up on a year ago, augurs extremely well for the future.

Dr. Jeremy Bray (Motherwell, South): Given the right hon. Gentleman's enthusiasm for analysis, will he tell us what estimate he has made of the effects of the measures that he has announced on either growth or productivity?

Mr. Heseltine: No. As the hon. Gentleman will know, trying to make forecasts about the result of specific inputs is something that no Government of whom I am aware have ever tried systematically to do—except those who believe in command economies, and we know what happened to them. My right hon. and learned Friend the Chancellor of the Exchequer has given the overall view of likely growth patterns in the country's economy over the years ahead, and I have no reason to dissent from that view.

In the White Paper, we are largely discussing two issues: maintaining the macro-economic framework—which is fundamental to competitiveness—and, persistently and in detail, working away at improving the supply side of the economy.

Dr. Michael Clark (Rochford): I congratulate my right hon. Friend on his initiative in producing the White Paper. Will he concede that, although we spend a great deal of our time criticising what is wrong with our industry and our companies, many of those companies are effective, efficient and world class in terms of competitiveness? Will he ensure that his Department looks at those companies as well, analyses what they are doing right and sets out their criteria for other companies to follow?

Mr. Heseltine: I am grateful to my hon. Friend. That is one of the principal thrusts of the policy that we are pursuing in working closely with British companies—particularly the best companies, which are performing a remarkable role in many fields in benchmarking down the supply chains to pass best practice out into companies that are not immediately in touch with the agencies and Government organisations within my direct influence. We are seeing a huge expansion in the spread of best practice through the trade associations, the Confederation of British Industry and the supply chain; that is clearly one of the most effective ways of improving national performance.

Mr. Peter Shore (Bethnal Green and Stepney): What role does the exchange rate play in the right hon. Gentleman's analysis? Does he not rejoice in the fact that, since September 1992, we have no longer been locked into the exchange rate mechanism at DM2.95 to the pound?

Mr. Heseltine: I know that the right hon. Gentleman never ceases to make his own particular point, but he will have a much wider, more historic perspective in mind. Time and again, Britain has had the advantage of a short-term competitiveness opportunity as a result of devaluation. The problem is that—largely as a result of the Labour party's policies—we blew it by not controlling inflation.

Mr. Nicholas Winterton (Macclesfield): May I congratulate my right hon. Friend on what I consider to be a very constructive package of initiatives? The Government have created the right climate for the expansion of industry: low interest rates and low inflation. Is my right hon. Friend aware, however, that perhaps the greatest impetus that he could give manufacturing industry would be the introduction of 100 per cent. capital allowances, as practised in many other countries of the European Community and throughout the world? Will he do that, and will he give me an assurance that he will accept an invitation to come to Macclesfield and open the new Business Link premises in the next few months?

Mr. Heseltine: My hon. Friend will realise that of course any tax judgment is a matter for my right hon. and learned Friend the Chancellor, but I remember very well that we decided that it was advantageous to the wealth-creating processes to have reductions in the level of corporation tax and to remove the artificial incentives of tax allowances as part of that package. If I remember correctly, under Lord Lawson that was the right economic decision to take. Having given industry the major advantage of lower tax rates, some now want to go back to total capital allowances, which would be to have one's cake and eat it as well. That must be a matter for my right hon. and learned Friend the Chancellor, but it is important to realise how much we have already done.

As for my hon. Friend's most generous invitation to visit Macclesfield, that would give me huge pleasure, but I am not yet able to offer a date.

Mr. Barry Jones (Alyn and Deeside): What is the consequence of the right hon. Gentleman's White Paper for Britain's aerospace industry, which is still the source of many skills, many jobs and a great many exports? With the Germans now coveting British Aerospace's Airbus wing technology, will the right hon. Gentleman take a strategic decision in favour of the future large aircraft, which would help British Aerospace, Rolls-Royce and Shorts? Does the right hon. Gentleman realise that tens of thousands of jobs depend on that decision and that, today, he could give confidence to British Aerospace and the whole industry?

Mr. Heseltine: The hon. Gentleman raises the interests of a most important industry. I share that view, and it has been my privilege as a member of a Conservative Government to help to create the European Space Agency, to sell Tornados to the Saudis, to get the European fighter aircraft programme off the ground, to launch the EH101, and to give general and continuing support to that industry to the tune of £1.5 billion since 1979. Although I appreciate the hon. Gentleman's support, I can assure him that the Government need no advice on this matter.

Mr. Nirj Joseph Deva (Brentford and Isleworth): I congratulate my right hon. Friend on the timely White Paper. Will he join me in congratulating my hon. Friend the Minister for Trade, who this very day has succeeded in normalising our trading relationship with Malaysia despite the Labour party's efforts to damage British prospects? My right hon. Friend mentioned that he would like to improve the competitive advantage of our outward investment. Will he expand on that?

Mr. Heseltine: My hon. Friend is generous in referring to my hon. Friend the Minister for Trade, who is never satisfied with normalising relationships but is hellbent on improving them, which he is doing with remarkable success across the world. As for outward investment, we shall be looking to the export promoters who have been seconded to my Department for the purposes of encouraging exports to look for outward investment opportunities as we realise that that gives an additional competitive advantage to British companies and will lead to massive repatriation of profits in the future.

Mr. Dennis Skinner (Bolsover): How on earth does the President of the Board of Trade expect businesses large and small voluntarily to settle their debts when the Government are giving the nod and a wink to Tory Members not to settle their debts at Lloyd's?

Mr. Heseltine: The one way that British industry would find it encouraging to settle its debts is to listen to the hon. Member for Bolsover (Mr. Skinner) and realise that, if anything went wrong, he could be part of a governing party.

Sir Anthony Grant (Cambridgeshire, South-West): Is my right hon. Friend aware that he is absolutely right to reject any silly socialist subsidies for industry, which seem to be the only policy of the Labour party? My right hon. Friend is also absolutely right to identify the late payment of debt as the biggest problem from which the small firms sector suffers. Will he bear in mind that statutory interest is not so simple as it seems, that it can sometimes work against the interests of small firms and that the idea of publicising and exposing to shame the activities of larger firms is therefore the better solution? Does my right hon. Friend—we were in government together—also recall that when the Labour party was in office, the small firms sector almost disappeared entirely?

Mr. Heseltine: My hon. Friend is absolutely right. The punitive tax regimes of the Labour party made it impossible for the small industrial sector to generate itself, and the punitive capital and wealth taxes meant that family businesses were bound to be sold into the hands of publicly quoted companies which had massive tax incentives to take them over. My hon. Friend is absolutely right also that the various legislative answers to the better payment of debts may have particularly onerous effects on small businesses which often use their creditors as part of their companies' financial package. If we look at the balance sheets of small businesses, we often find that the people who might suffer most from a rigid regime would be those very companies starting up.

Mr. Alex Salmond (Banff and Buchan): Does the President of the Board of Trade accept that the only industry to get a substantial boost from today's announcement is the paper, printing and publishing industry? How could he take so long to say so little of substance? Looking at the full nine pages of his statement, can he tell us where the beef is?

Mr. Heseltine: I know that it is customary in the House to indulge in that sort of fatuous intervention—*[Interruption.]* As the hon. Gentleman sits there, pregnant with a big idea, I often wonder what goes on in his mind. The only conclusion that anyone watching the performance in the House this afternoon and the antics of the Opposition could draw is that the House has lost the capability to hold any rational debate about anything that is of genuine concern to the country at large.

Dr. Keith Hampson (Leeds, North-West): My right hon. Friend is to be congratulated on producing the first comprehensive analysis of our industrial problems and the first coherent approach to them since the Labour Government's 1975 White Paper, which was wholly unmemorable and hopelessly ineffective. There is now at least a focus which, so far as I can see, follows exactly the trend of the thinking of the Select Committee on Trade and Industry, which is chaired by the hon. Member for Sheffield, Central (Mr. Caborn). In particular, it focuses on the role of Government in helping businesses to help themselves. Above all, small companies—

Madam Speaker: Order. The hon. Gentleman will resume his seat. I have cautioned the House a number of times this afternoon that I am not prepared to listen to statements. This is not the time for statements; it is the time for questions, and I am looking for a question from the hon. Member for Leeds, North-West (Dr. Hampson).

Dr. Hampson: Will my right hon. Friend confirm that the central thrust of the White Paper is to ensure that small businesses which have the potential for growth are to be helped to become the powerful medium-sized companies of which we are particularly short when compared with our major rivals?

Mr. Heseltine: I very much sympathise with my hon. Friend, but one of the reasons why we are short of medium-sized businesses, which are so characteristic of, for example, the German economy, is that when the Labour Government were in power they wiped them out.

Mr. Michael Clapham (Barnsley, West and Penistone): From his reading of the report of the Select Committee on Trade and Industry, the President of the Board of Trade will be aware that the United Kingdom spends less on civil research and development than any of our competitors, both in absolute terms and per capita. What precisely will his statement do to obtain more Government investment in British industry?

Mr. Heseltine: The hon. Gentleman is right, but he does not draw the right conclusion. In terms of public expenditure, the Government spend broadly the equivalent of what equivalent countries spend—it is the private sector that spends less. A careful analysis of the private sector shows that there is nothing in the structure of the British capitalist system which makes it inevitable that that should be the case. In some industries—for example, the pharmaceutical industry—Britain spends a great deal on research and development and is in a world-class position. This is one of the subjects that my hon. Friends the Financial Secretary and Economic Secretary to the Treasury will be considering in their analysis.

Mr. Tim Devlin (Stockton, South): Is my right hon. Friend aware that successful manufacturing businesses in the north of England will greatly welcome the White Paper, but that they will feel that the problems with which it deals are of such fundamental importance that they should not be the subject of petty party politics? Will he therefore take every possible step to bring at least a large proportion of the Opposition on board to support his proposals?

Mr. Heseltine: My hon. Friend sets me a task beyond the wildest dreams of human politicians. Anyone studying the White Paper will realise that we have deliberately tried to consider economic cycles as opposed to the tenures of any one Government. We have deliberately tried to examine the problems in the context of decades. When I came to the House today, I had not the slightest intention of turning this matter into a party political issue, but I was not so naive as to think that that would be the attitude of the Opposition, so I had a devastating response to any wholly irresponsible intervention.

Mr. D. N. Campbell-Savours (Workington): Why did the Government not introduce the more interesting parts of the document four years ago, when they might really have had some impact? What has changed?

Mr. Heseltine: The performance of the British economy has changed. The more the hon. Gentleman and the House examine the document, the more it will be realised that we are building on the strengths that now exist in the British economy but which simply did not exist in the early 1980s.

Several hon. Members *rose*—

Madam Speaker: Order. We now move to the second statement.

Education, Training and Employment

4.19 pm

The Secretary of State for Employment (Mr. David Hunt): With permission, Madam Speaker, I shall make a statement on the policies and plans in the White Paper, "Competitiveness: Helping Business to Win", for which my right hon. Friend the Secretary of State for Education and I are responsible.

The only sound basis for sustainable jobs is a competitive economy, and a labour market that is efficient in bringing employers and employees together and allowing them to negotiate freely, and avoids the rigidities that did so much damage in the 1960s and 1970s. That is the background to our strategy for employment set out in the White Paper, but it is far from the whole story. The further development of education and training is another important focus of the White Paper, which also announces the conclusions of a comprehensive review of health and safety regulation.

At our request, the Health and Safety Commission has carried out the most extensive review of health and safety regulation for 20 years. We are publishing the results jointly with the commission this afternoon. The commission, after extensive consultation, has made wide-ranging recommendations to simplify and modernise our legislation. They include the removal of more than 40 per cent. of the regulations that currently affect the generality of business and which, in the view of the experts, can be removed without adversely affecting health and safety conditions.

The commission's proposals also include new and better guidance on the regulations criticised for complexity, improved advice to industry—especially small businesses—on how to comply with the law, and new strategies to make the enforcement of health and safety law more consistent and effective. The Government welcome and accept the commission's recommendations and will consider with the commission and others how best to carry them into effect. In particular, we shall consider them in the context of the scrutiny of local authority enforcement, on which a report is due shortly.

We are committed to a system of health and safety that maintains high standards without imposing unnecessary burdens on business. Our system is world class, and we intend to keep it that way. Implementation of the commission's recommendations will help our efforts both to create a safer and healthier working environment and to improve business competitiveness.

I shall now deal with education and training. Making the most of all our people is fundamental to competitiveness. Good basic education is essential. So is lifetime learning. Both depend on a coherent education and training system that really motivates individuals, and delivers results to rigorous standards. That is why the national targets for education and training, endorsed by Government and promoted locally by training and enterprise councils, and in Scotland by local enterprise companies, are so important.

Our progress in recent years is striking. More of our young people are doing well at GCSE, and GCE A-level, than ever before. We have the highest graduate percentage output in Europe. More people are being trained at work. Our work force is better qualified.

But we must raise our sights still further. The White Paper announces a package of measures that builds on our existing policies and successes. We shall commit more than £300 million to the new measures over the three years to 1997-98.

The new initiatives are, first, accelerated modern apprenticeships to give vocational training to 18 and 19-year-olds entering the labour market to help them to achieve the technical and supervisory skills which are critical to their—and our—economic success. Training will be to NVQ level 3 or above and should last an average of 18 months. The Government will invest £107 million over three years. By the end of the decade, the initiative will produce 30,000 extra skilled and qualified people each year, nearly doubling the achievement at that level which is already planned through modern apprenticeships.

Secondly, there will be better careers education and guidance for young people. An extra £87 million will be made available over three years. We are adding to the depth and quality of the independent advice that young people get at key decision-making stages, particularly at ages 13, 15 and 17. Each pupil will receive a statement of their entitlement to careers education and guidance, and careers officers and teachers will get extra training.

Thirdly, there will be a training boost for small firms, which are the economic lifeblood for so many people in a modern developed economy but which can be inhibited from full-scale training programmes by their size. We therefore intend to help firms with fewer than 50 employees to train suitable individuals as trainers, ensuring that they have up-to-date skills which they in turn can pass on to others. Over three years, £63 million will be contributed by Government.

Mr. D. N. Campbell-Savours (Workington): How?

Mr. Hunt: I shall explain it.

We want to strengthen standards, choice and diversity. We plan to provide more and better opportunities for 14 to 16-year-olds to take vocational courses at school, and a new general diploma for 16 to 18-year-olds to reward those who gain good GCSEs in English, maths and science, plus two others or their vocational equivalents. In addition, we will work further to strengthen standards in GCE A level and AS qualifications and their Scottish equivalents, in the new general national and Scottish vocational qualifications and in our system of national vocational and Scottish vocational qualifications.

We also plan closer partnership between education, training and employers. Over three years, £23 million will be made available to help to provide at least one week's work experience for all young people before they leave education. There will be new targets for education-business links, and new arrangements for ensuring that further education in England makes the best possible contribution to developing our skills base.

Training and enterprise councils will work more closely with the further education sector and offer particular support through a new competitiveness fund to meet key local skills needs. That will, for example, enable colleges to purchase more state-of-the-art equipment for training.

We will also have wide consultation on the practical implications of learning credits to give all young people the power to buy their own education and training from schools, colleges, employers and other recognised providers.

[Mr. Hunt]

Credits have long been advocated by leading economic institutions, including the Confederation of Business Industry, and many individuals. We see attractions in that approach. It would be consistent with our policy of promoting choice and diversity. However, we do recognise that such a wide-ranging change in funding arrangements would require careful preparation.

We are encouraging lifetime individual learning and helping employers to make sure that their investment in training meets business needs. We shall be looking closely at individual accounts for training and at whether career development loans can be made more accessible. "Investors in People" marketing will be boosted.

Altogether, the Government are investing more than £300 million in this package of measures over the three years to 1997-98. That reflects the priority that we are giving to education and training in our drive to compete. People are the key to a successful economy, and we have to be ambitious, both as individuals and as a nation, to succeed. There is no great future for our great nation unless we remain a highly skilled, high-value-added and high-wage economy. Our whole way of life depends on that.

This is an ambitious set of proposals, and I commend them to the House.

Mr. John Prescott (Kingston upon Hull, East): Today, the House has heard two statements from the Secretaries of State for Trade and Industry and for Employment on the White Paper, which reveal that they have totally failed to understand the scale of the economic problems facing Britain's industry and are at variance not only with the facts, but with the Government's published facts.

We are promised more statements, White Papers and studies. After 15 years of economic incompetence, they offer us more and more statements. We must consider the Government's record when considering further promises from any Secretary of State belonging to this Government.

The House will welcome any statement that improves health and safety at the place of work. Does the Secretary of State agree, in accepting the recommendations of the health and safety review, that health and safety is not now a burden on business as the Government first suggested? Will he now ensure that sufficient funds are found to make health and safety regulations effective and reverse all the cuts that he has imposed on the health and safety budget over the years?

The House would welcome any statement about improvements in training and education. Indeed, we welcome them as far as they go, but they do not go far. Why do the Government accept so little in training and education for our people? The Secretary of State said in the statement:

> "Making the most of . . . our people is fundamental to competitiveness",

and that good basic education and training are "essential". He went on to say that the progress "is striking". The statement is a statement of illusion; it is not true; it is not borne out by the facts.

It seems that Opposition Members must bring home to the respective Secretaries of State the fact that the Conservatives were in office in 1979, and the record is there for all to see. I shall say something about it.

There have been 22 statements on training in this Chamber since 1979—some announced new schemes, some shut down old schemes. Sixteen training schemes have come and gone, and only two lasted more than five years. All the schemes were launched with the razzmatazz of media publicity, but were irrelevant to the skills crisis facing Britain. They are more about catching headlines than producing skills.

Does the Secretary of State not recognise that deregulation, privatisation and voluntarism have failed, and that it was a mistake to abolish 21 of the 23 training boards and their statutory training levy, which cost us one third of trade apprentices—more than 150,000?

The Secretary of State said that our progress in recent years has been "striking" and that our work force is better qualified. Is he aware that Britain has the lowest skills level [illegible]any major industrial nation and has fallen from 13th to [illegible] place in the Organisation for Economic Co-operation and Development skills league, and that the United Kingdom has the worst trained and educated work force in the European Union, with skills at half the level of France and Germany and lower than those in Spain and Portugal, according to the Community's figures?

Even if the Secretary of State achieves the 150,000 modern apprenticeship places, does he accept that he is only taking us back to the level in 1979? His aim to secure 30,000 NVQ-level apprentices is a pitiful drop in the ocean compared with Germany's 600,000 apprenticeships a year. At this rate, it will be another 25 years before we catch up with the levels of Germany today.

Is it not true that employers have abdicated their responsibilities to train, and that they have ducked their obligations to the work force and to society to invest in skills? Have not they been led by a Government who have cut £1.5 billion from the employment budget since 1985, and a further 5 per cent. of the training budget this year?

In his statement this afternoon, the Secretary of State made it clear that £300 million will be available during the next three years. That is totally inadequate, and it must be seen against the £3.6 billion that has been cut from the training budget since 1989. How does he intend to finance the £1.5 billion cost of the modern apprenticeships with a reduced budget? What will he sacrifice for the new scheme? If the Government will not even maintain their own training budgets, how does he expect that, left to their own devices, private companies will keep up their investment in training?

In his reference to learning credits, does the Secretary of State really mean training vouchers? Is that a proper response to our skills crisis? Is it not a Green Shield stamp approach to the vital provision of skills, which is irrelevant to the real issue? Will the vouchers cover the full cost, or will they continue to short-change the unemployed who have been plunged into debt, like thousands of our students today?

Does the Secretary of State not see that, in every area of training, the Government have heaped failure upon failure? He refused to accept training funds from Europe and the privatised Skills Training Agency collapsed into bankruptcy, leaving training centres idle, trainers on the dole and thousands of trainees with nothing to learn and no one to teach them.

Training in this country is in its deepest and most acute crisis ever, and the White Paper will not answer the long-term training problems of this country. But there are things which the Secretary of State could do in an emergency programme. Why does he not take back the bankrupt privatised training centres that lie empty, as in my constituency, and open them for trainers and trainees? Why does not he call upon major companies with spare training capacity to make those facilities available to others?

Finally, will the Secretary of State now recognise the desperate underfunding of training in this country? Will he return to the principle that has been successfully adopted by every country in Europe and has been advocated by the Trade and Industry Select Committee, of a statutory training levy? Britain's skills crisis requires no less.

Mr. Hunt: In many ways, there has been a competition on the Opposition Benches this afternoon—a competition to produce the most negative response to the White Paper. I think that the shadow Secretary of State for Employment has just won that competition. His was a very negative response.

On health and safety, I wish that the hon. Gentleman would continue his dialogue with the shadow Secretary of State for Trade and Industry, who attacked the health and safety proposals a few moments ago. He said that they were taking greater risks with the work force, but the shadow Secretary of State for Employment knows that the proposals come from the Health and Safety Commission, on which sit representatives of the TUC. I regard what has been said as a gross slur on the TUC. I understand that the trade union representatives agreed—*[Interruption.]* No, I am going to continue with the point, because it is very important.

I understand that the TUC representatives agreed to the report which I, on behalf of the Government, have now accepted. To say that the TUC would flirt with the idea of taking greater risks with the work force is, I believe, a gross slur on the TUC, the employers and the tripartite Health and Safety Commission. I hope that the hon. Member for Livingston (Mr. Cook) will consider withdrawing his allegation, and join the shadow Secretary of State for Employment in welcoming any measures that ensure that a simpler form of health and safety will mean a safer system of health and safety.

I very much welcome the welcome by the hon. Member for Kingston upon Hull, East (Mr. Prescott) for the measures that I have announced this afternoon—I did find a welcome in what he said—but I want him to rethink the background to his welcome. He made no detailed recommendations on how the new modern apprenticeship scheme should proceed.

Mr. Nigel Spearing (Newham, South): It is the Secretary of State's statement.

Mr. Hunt: The hon. Gentleman may not be aware that I have invited the shadow Secretary of State for Employment and his team to see me and put forward proposals on how we can make the greatest possible success of the new modern apprenticeship scheme, which has been welcomed by employers, the TUC and organisations throughout the United Kingdom. My door is still open, and I await their constructive proposals.

The hon. Member for Kingston upon Hull, East should rethink the background against which he has given his welcome. He has continued talking down Britain. I can give precise figures for the average annual percentage growth in the European Community between 1980 and 1990—the OECD cycle. The hon. Gentleman has talked down the achievements in the British economy—*[Interruption.]* I will come to the further point that he made in a moment. *[Interruption.]* I am giving the correct figures, which were thrown into doubt by the shadow Secretaries of State earlier. Between 1980 and 1990, growth in the United Kingdom exceeded growth in Germany, France, Italy and Belgium.

The hon. Gentleman also claimed that the UK has a low-skill, sweatshop economy with a low skills base. Not only is that incorrect, but we have managed to attract a record level of inward investment. How have we managed to attract 3,500 companies from the United States? How have we managed to attract more than one third of all the investment that has come into Europe from the rest of the world? It is because we have a world-class skilled work force.

As the hon. Gentleman made no other substantive points, may I just answer his point about the budget? He must see that £300 million against the fact that my budget will now rise from some £2.2 billion to about £2.5 billion, which I shall be investing over three years just for young people, to get modern training leading to high-quality qualifications. Those are significant steps forward, and the day will come when the hon. Gentleman will recognise that.

Several hon. Members *rose*—

Madam Speaker: Order. May I now have brisk questions from Back-Bench Members and brisk answers from the Secretary of State?

Sir Malcolm Thornton (Crosby): I welcome the proposals to bring education and training much closer together, particularly careers guidance, which will be on offer to secondary pupils from the age of 11. That is a significant development. How does my right hon. Friend propose to monitor the results of what is happening? The input is important, but monitoring the output is equally important. Will he also remind the House that one reason why we lost so many apprenticeships was the high cost of paying apprentices artificially high wages compared to their fully qualified counterparts?

Mr. Hunt: My hon. Friend is right to look back at the history of the old, traditional apprenticeship scheme, which was built on time serving, whereas the new, modern apprenticeship system focuses on high-quality qualifications to NVQ level 3, which is equivalent to two A-levels. The old apprenticeship scheme had set, rigid minimum wages, restrictive practices and demarcation lines, which renstricted the young apprentice to one machine or one machine shop. We are now dealing with training a multi-skilled, high-opportunity work force.

On my hon. Friend's second point, I now calculate that, every year, 1.5 million independent interviews will be conducted throughout the country to help young people to make the right choices at the ages of 13, 15 and 17.

Mr. David Rendel (Newbury): Will the Secretary of State back up his welcome support for lifetime learning by reducing the restrictions on training the unemployed, particularly getting rid of the 21-hour rule?

Mr. Hunt: It is important to target resources. Given that two thirds of all those who become unemployed find a job —come off the register—within six months, we must recognise that the real target must be those who have been

[Mr. Hunt]

unemployed for a considerable time. That is why we must have checks and balances in the system, to target the most effective help on the longer-term unemployed.

Mr. Nigel Forman (Carshalton and Wallington): Is my right hon. Friend aware that his statement will be welcomed because it has one clear and positive focus—that we should invest more heavily in human capital in all the appropriate ways? Is he also aware that it is vital to do so continuously over a long period? The lead times are long and, unless the policy is sustained, it will not have the success that it deserves.

Mr. Hunt: I agree with my hon. Friend.

Mr. Greville Janner (Leicester, West): First, on the health and safety regulations, does the Secretary of State agree that it takes no great genius to bury regulations that have long been dead? We are worried about how many live ones will be interred with the bones. Will he give the House an absolute guarantee that no provisions that really protect people at work will be abolished?

Secondly, how much has it cost the public for the Secretary of State and the President to produce a document that seems to be unadulterated Tory propaganda, complete with a photograph of the Prime Minister?

Mr. Hunt: On health and safety rules, this is the first in-depth inquiry into the full range of health and safety legislation which the Health and Safety Commission has conducted for 20 years. It has spent a considerable amount of time on it, and it assures me that none of its recommendations will place health and safety in the workplace in jeopardy. We have one of the finest records in the world on health and safety, and I give the hon. and learned Gentleman my undoubted, categorical assurance that I intend to keep it that way.

On cost, I shall let the hon. and learned Gentleman have that figure. This is not a party political occasion. The White Paper was destined to be published some time ago, but, due to the tragic events that occurred, it was delayed. I hope that the document will form a foundation for further discussions on an all-party basis right across the spectrum for many months and years to come, and that it will provide a secure foundation for education and training in particular.

Mr. Peter Viggers (Gosport): As the chairman of a sixth form college, I can see for myself the attraction and relevance of vocational training for the young, but does my right hon. Friend agree that the best basis for lifetime learning is a good, focused and rigorous training in reading, writing, arithmetic, history and geography?

Mr. Hunt: I agree with my hon. Friend, which is why my right hon. Friend the Secretary of State for Education has introduced the much welcomed proposal for the new general diploma. My hon. Friend will be aware of the targets for lifetime learning. The White Paper reveals that the National Advisory Council for Education and Training Targets, which includes some distinguished people, such as one of the leading personalities from the trade union movement, will review the targets to ensure that they are brought up to date. Those lifetime learning targets are among the most important facing the British nation at the present time.

Mr. John Evans (St. Helens, North): Is the Secretary of State aware that the statements in the document and his article about incentives to work which appeared in *The Sunday Times* will be regarded as an insult and an outrage by the 500 workers who are being sacked from the Beecham factory in St. Helens and whose work is being transferred to a lower-paying, non-union plant in Devon? Is it not about time that the Secretary of State insisted that, where companies sack workers simply to increase their profits, they should be responsible for paying the wages of those workers until they find jobs?

Will the Secretary of State and the President of the Board of Trade accept my invitation to meet some of those Beecham factory workers in Committee Room 14 tomorrow afternoon to talk about the White Paper?

Mr. Hunt: The hon. Gentleman has a particular constituency interest, which I share. The closure—I very much regret it and the redundancies which have occurred—took place in Merseyside where my constituency is. Just before I came into the Chamber, I received a letter from the hon. Gentleman inviting me to the meeting to which he referred. Sadly, I shall be in the midlands tomorrow. However, I ask him to make a careful note of all the points that his constituents wish to put to Secretaries of State. I will be very willing to see him and his colleagues after tomorrow's meeting has taken place.

Mr. Richard Page (Hertfordshire, South-West): As one of the few Members of the House who has completed an industrial apprenticeship, I accept and understand what my right hon. Friend is trying to achieve today. On that he is to be congratulated.

How will he disseminate the information in his statement to employers, and particularly to the youngsters who will take up the apprenticeships? Will he, for example, use trade associations—particularly the lead trade associations per industrial sector—to get the message across?

Mr. Hunt: Yes, I will. We are spearheading the new modern apprenticeship scheme in partnership with the training and enterprise councils and the industry training organisations. They are currently working up models that will form the basis of the new NVQ level 3 qualification, which is the objective of the new modern apprenticeship system.

We are getting a great deal of help from all sectors, and all parts of every sector, in the United Kingdom. Some new sectors that do not have a tradition of apprenticeship are getting very excited about the opportunities that the new modern apprenticeship scheme will offer.

We anticipate that more than 200,000 young people will participate in the new modern apprenticeship scheme at any one time. When the scheme is up and running, we anticipate that the number of those qualifying and achieving NVQ level 3 will increase from 40,000 under the scheme we have announced already to 70,000 per year. My hon. Friend is right: we have to get the message across in every possible way.

Mr. Ronnie Campbell (Blyth Valley): What about the kids who leave school with no qualifications and drift into crime, drugs and joyriding, as we have learnt from the television and the wireless? Does the Secretary of State not remember the old days when the National Coal Board provided apprenticeships for electricians, fitters, blacksmiths and joiners? In those days, we turned out qualified workers by the thousands—and at less expense.

Mr. Hunt: I hope that the new modern apprenticeship scheme will give many youngsters a real opportunity, challenge and sense of pride and achievement in gaining a new modern apprenticeship. That is why I hope that we will receive co-operation from both sides of the House in ensuring that the scheme is a great success.

Turning to the problem of unemployment among young people, I hope that the hon. Gentleman recognises that, according to the figures that I announced a short time ago, unemployment fell most markedly among young males aged between 20 and 24 years. We now have one of the lowest rates of youth unemployment in Europe. Admittedly, at 15.4 per cent., it is too high; but the European average is 20.7 per cent.

The rate of unemployment among males and females aged under 25 years is 23.7 per cent. in France, 31.7 per cent. in Italy and 38.9 per cent. in Spain. The hon. Gentleman can see that we are doing extremely well in comparison with our competitors. However, we are determined to do more, and the new modern apprenticeship scheme will offer many new opportunities to young people.

Dr. John G. Blackburn (Dudley, West): Does my right hon. Friend accept the very warm welcome that his statement has received today—particularly from the hundreds of thousands of people in this country who have a thirst for training?

Does he also accept that this country has the best job creation record in Europe and, in addition, that we have the highest percentage of our work force in employment? Does he agree that this success story can be attributed in very large measure to national vocational qualifications—the real training powerhouse in this country—which are supported by the Government?

Mr. Hunt: My hon. Friend is correct in all his facts. It must be a matter of considerable pride that a higher percentage of the working age population are in work in the UK than almost any other country in Europe. Some 70 per cent. of those aged 15 to 64 are in work. That compares favourably with other European countries—Germany with 65 per cent.; France with 60 per cent.; Italy, 56 per cent.; Ireland, 52 per cent.; and Spain, 49 per cent. People must recognise that ours is a great success story. The whole point of the White Paper is that we do not intend to rest on our achievements; there is much more to accomplish, and we intend to do that.

Mr. Alan Simpson (Nottingham, South): Will the Secretary of State explain what his proposals will do for a city such as Nottingham, where last year more than 1,000 school leavers were unable to take advantage of the training guarantee because employers found the scheme and its resources either worthless or unworkable? How does the Secretary of State square that with the news I received today about the closure of Prospects Training, a Nottingham company with a very good record of providing training for young people? It is being forced to close not because it cannot deliver quality training, but because others can deliver it more cheaply without the quality guarantee.

What in his proposals guarantees special needs training requirements—

Madam Speaker: Order. Brisk answers and questions, now; otherwise, I will have to bring questions to a close.

Mr. Hunt: There is a great deal in the White Paper for the hon. Gentleman's area, if only he would see the positive side. The UK work force exceeds 25 million. The prospects for that work force and the competitiveness of the economy depend on our bringing forward the proposals in the White Paper. I regret any redundancies or loss of training providers anywhere, but the hon. Gentleman must recognise that we are continually investing in the future —and that is inherent in the White Paper.

Mr. Richard Tracey (Surbiton): Both my right hon. Friends will be aware how squarely their White Papers have hit the target, judging from the carping comments of Opposition Members. Has my right hon. Friend seen the impartial commentary in *The Times* of today written by Professor Tim Congdon? He paints an extremely rosy picture of this country's productivity and job prospects, but also warns against excessive Government intervention in maintaining that and in making sure that the unions are kept reined in—

Madam Speaker: Order. How many more times do I have to remind the House that we are not concerned with what appears in newspapers? We are concerned with what appears in the White Paper and, indeed, with what the Secretary of State has had to say. Perhaps the Secretary of State will reply very briefly to that question and to those of any other hon. Members I might call.

Mr. Hunt: Madam Speaker, I hope that you will forgive my hon. Friend. There are so many good things to say about the economy and this White Paper that it is very difficult—

Madam Speaker: Order. We are not discussing the economy; we are discussing the Secretary of State's statement.

Mr. Hunt: There are many good things in the White Paper too, Madam Speaker.

Mr. Nigel Spearing (Newham, South): Will the Secretary of State tell us what he means by young people "buying skills from schools"?

Mr. Hunt: Buying skills will occur through a credit system for every school leaver aged 16 to 19 years. As the hon. Gentleman will see from the White Paper, we propose this as an idea—which we find very attractive—involving a credit with real cash value. It is a pretty significant change in funding, and that is why we will consult about it. In the meantime—

Mr. Spearing: From schools?

Mr. Hunt: Yes—a voucher. School leavers will have the opportunity of receiving a credit which will then enable them to purchase further education or training from schools, colleges, employers and other providers. I hope that that has explained the situation to the hon. Gentleman. He will find that it is set out very clearly in the White Paper.

Mr. Anthony Coombs (Wyre Forest): Can my right hon. Friend confirm that the huge improvement in

[Mr. Anthony Coombs]

competitiveness of British industry in the past few years, especially since the days when we were derided as the sick man of Europe under the last Labour Government, has gone hand in hand with the improvement in industrial relations, which has given us the lowest level of strikes ever? Will he especially confirm that the £31 million that will be spent on the modern apprenticeship scheme will go towards improving the rigour of the national vocational qualifications on which employers in this country depend?

Mr. Hunt: Yes, I can confirm that the £31 million will go towards improving the quality of NVQs. I also confirm that my hon. Friend is right. We now have one of the lowest levels of strikes and industrial unrest anywhere in Europe. In 1992, the United Kingdom strike rate was lower than that in Germany, France or the United States. That is a record of which we have every right to be proud.

Mr. Alan W. Williams (Carmarthen): Is the Secretary of State aware that only 30 per cent. of our 18-year-olds have qualifications equivalent to two A-levels, compared with 68 per cent. in France and more than 80 per cent. in Japan? When the Conservatives have been in power for 15 years, why are we falling so far behind our international competitors?

Mr. Hunt: The hon. Gentleman has made out an important case for performance tables and for the testing regime that we have introduced, as well as the core curriculum. If he looks at the foundation learning targets, he will realise that we have the type of targets that really will enable us to maintain our competitiveness in world terms. It is important that we meet those targets. The White Paper sets out the blueprint for achieving the targets that we have set ourselves.

Several hon. Members *rose—*

Madam Speaker: We shall now move on.

BILL PRESENTED

FINE DEFAULTERS (RESTRICTION OF POWER TO IMPRISON)

Dr. Lynne Jones, supported by Mr. Richard Alexander and Mr. Alex Carlile, presented a Bill to restrict the power of magistrates' courts to impose imprisonment for default of the payment of fines: And the same was read the First time; and ordered to be read a Second time upon Friday 8 July, and to be printed. [Bill 120.]

Hon. Member for Sutton and Cheam

5.1 pm

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. Yesterday there was a reference to the hon. Member for Sutton and Cheam (Lady Olga Maitland). You made your comments. Can I ask you whether the hon. Lady will give an explanation and an apology to the House about the original statement she made, that the amendments tabled were her own? Obviously they were not. Will the hon. Lady come to the House and apologise?

Madam Speaker: As I have already told the House, the matter is under consideration by me. I have heard from the hon. Lady. I am considering it now.

Statutory Instruments, &c

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committees on Statutory Instruments, &c.).

FARM AND CONSERVATION GRANT

That the Farm and Conservation Grant (Variation) Scheme 1994 (S.I., 1994, No. 1302) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Kirkhope.]*

Question agreed to.

Madam Speaker: Motion No. 2 is not moved. With permission, I shall put together motions Nos. 3 and 4.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committees on Statutory Instruments, &c.).

WILLS AND ADMINISTRATION (NORTHERN IRELAND)

That the draft Wills and Administration Proceedings (Northern Ireland) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.

LITTER (NORTHERN IRELAND)

That the draft Litter (Northern Ireland) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Kirkhope.]*

Question agreed to.

Madam Speaker: Motion No. 5 is not moved.

Television Licences (Reduction for Poor Reception)

5.2 pm

Mr. Charles Hendry (High Peak): I beg to move,

That leave be given to bring in a Bill to give television licence holders a reduction in their licence fee when it is recognised that the household is unable to enjoy good television reception.

This is a modest, simple and fair Bill, although I had no idea when I tabled it that simply to do so would instil so much fear into the BBC that the whole organisation would go out on strike. I have decided that that is a matter of such importance to my constituents and to other constituents elsewhere in the country that I would brave the picket lines to come here and put my case to the House.

I have a number of constituents whose television reception is always poor, yet, under the current rules, they have to pay the full licence fee. That is patently unfair.

Today, the BBC is filming one of my constituents, who can obtain only what the BBC accepts is a substandard picture, but when that film is shown on television, he will be one of the small group of people in this country who will not be able to watch it at all. He lives not in a wild, remote area, but in a village less than 20 miles from the centre of Manchester, with half the country's population within an hour or so's drive away. We know that, because most of them seem to come and spend every Sunday in my constituency. Therefore, we are not speaking simply about the wildest, remote parts of the country, although the problem is predominantly rural.

Television reception is also a problem in areas such as Kent. I know that my hon. Friend the Member for Dover (Mr. Shaw) supports the Bill, because there are pockets in his constituency in which people cannot receive the BBC, but only Dutch television. Unfortunately, Dutch is not one of the languages that are taught in the schools of Dover. Those people can only hope, as we do, that Dutch television will show as many BBC repeats as the BBC shows here. Nevertheless, they still have to pay the full licence fee to the BBC.

In Scotland, some people cannot receive any British television services, and can receive only television services that are broadcast by satellite, either by BSkyB or other satellite television stations, watching only programmes that have not been made by the BBC, yet they also have to pay the full licence fee to the BBC, even though they do not enjoy any of the services it provides.

The irony is that many of the people who are affected by that problem live in regions that have been made famous by programmes such as "It Shouldn't Happen to a Vet", "Last of the Summer Wine" and "Peak Practice", yet they are the very people who are unable to watch their regions being represented on television.

I am delighted to see my hon. Friend the Secretary of State for National Heritage in his place, listening to the debate. He will be aware, from his interest in cricket, that Buxton in my constituency does not always enjoy good weather because Buxton is probably the only town in this country where a cricket match has been snowed off in June. However, it is not fair that so many of the rest of my constituents should have to see snow every time they want to watch a cricket, tennis, rugby or football match on their television sets.

The Bill is not about whether programmes are worth watching, because some people would argue that they should pay more if they are unable to watch "EastEnders" or "Casualty" or Ben Elton or party political broadcasts, or about what the BBC does with the money it receives. It is about the service that people receive. Under the principles of the citizens charter, people should not have to pay the full cost if they receive a substandard service.

The most peculiar aspect of the current law is that paying the licence fee does not entitle us to receive a television picture—it only obliges the BBC to transmit one. It is as though paying the council tax obliged the rubbish wagons to set off from the depot in the morning but not to collect any rubbish. It is like saying that by putting a stamp on the letter one can be certain that the letter will be taken out of the letter box, but one has no say about whether it will be put through someone else's letter box or dumped in the nearest hedgerow.

The licence fee simply relates to the ownership of equipment, which enables people to receive the signal, even if there is no signal that they can receive on that equipment. People feel understandably frustrated and annoyed about the current system, and there is wide agreement on both sides of the House that that is simply wrong.

There is a further serious issue, relating to those people who are hard of hearing and who rely on the teletext service to give subtitles to programmes. Teletext is one of the first services to break up in areas of poor reception, which can deprive those people who are hard of hearing of any benefit from their televisions. Nevertheless, they have to pay the same licence fee as everyone else. I am grateful to the Deaf Broadcasting Council for the support that it is giving my Bill.

Some people say that it will be difficult to know which regions are affected, but that is not so. The BBC has already identified many of the areas with populations of more than 200 that have substandard reception. In the case of Millers Dale in my constituency, the BBC has told me that 160 people are affected, so they also have significant information already on areas of smaller population. The Department of National Heritage has published lists of affected communities in different parts of the country.

Other people will say that it is difficult to assess whether people's reception is good or bad. I accept that. The degree of reception will always be a subjective issue. However, the principle in the Bill is that it would apply to people who receive a consistently bad picture, so it does not refer to the household where reception is distorted by atmospheric conditions or by bad weather conditions.

It would relate to permanent geographical and geological features rather than vegetation or a building blocking the signal. It would not apply if one's neighbour had allowed his hedgerow to grow too high, blocking one's television picture. It would apply when signal strength was the root of the problem.

The BBC also says that it is hard to tell whether or not a picture is substandard. As the hon. Member for Birmingham, Hodge Hill (Mr. Davis) said on television this morning, it is like a camel: one cannot describe it, but one certainly recognises it when one sees it—or, in the case of a television picture, when one does not see it.

There should certainly be no concern about the amount of money involved, as the BBC estimates that 99.4 per cent. of the population receive a satisfactory picture. This year, the licence fee will raise £1.6 billion, so a full rebate for those unable to receive a good picture would cost under £10 million. If the rebate were set at half the licence fee, the

[Mr. Charles Hendry]

loss of revenue to the BBC would be just one day's income. No doubt all hon. Members could suggest good ways of making that up. In fact, we might be spared a programme like "El Dorado", as well as getting a better deal—a double benefit.

The principle would be that people should have taken the steps they could reasonably be expected to take to improve their picture—for example, the provision of a good-quality aerial or, if necessary, a booster. However, it does not seem right that they should be expected to spend more than £300 on a so-called self-help kit to get a proper picture.

The principle behind the Bill is based on the fact that there are people who, day in and day out, can get only substandard television reception. In many parts of the country, the BBC has already established where the people concerned live, and the corporation already has its own definition of what is and what is not satisfactory. In this age, it is simply not acceptable that people should have to pay for a service that they are not receiving.

I fully recognise that my right hon. Friend the Secretary of State for National Heritage is reviewing the whole future of the licence fee. However, that matter is not an issue under the Bill. It is bad enough to have to pay the BBC to be allowed to watch programmes broadcast by independent stations—like having to buy *The Guardian* in order to be able to read *The Times*—but it is not acceptable that people should have to pay the BBC even if they receive no satisfactory picture from anyone at all.

As I said at the outset, this is a simple Bill, with cross-party support. It would help a small number of people who, we all accept, get a raw deal at the moment. It is time to correct this anomaly.

Question put and agreed to.

Bill ordered to be brought in by Mr. Charles Hendry, Mr. Sebastian Coe, Mr. Jonathan Evans, Mr. George Foulkes, Mr. Phil Gallie, Sir Russell Johnston, Mr. Ieuan Wyn Jones, Mr. Calum Macdonald, Mr. David Shaw and Mr. John Sykes.

TELEVISION LICENCES (REDUCTION FOR POOR RECEPTION)

Mr. Charles Hendry accordingly presented a Bill to give television licence holders a reduction in their licence fee when it is recognised that the household is unable to enjoy good television reception: And the same was read the First time; and ordered to be read a Second time upon Friday 24 June, and to be printed. [Bill 121.]

Orders of the Day

Local Government etc. (Scotland) Bill

Order for Third Reading read.—[Queen's consent, on behalf of the Crown, signified].

5.12 pm

The Secretary of State for Scotland (Mr. Ian Lang): I beg to move, That the Bill be now read the Third time.

It is almost exactly three years since I stood at the Dispatch Box and announced the Government's intention to move towards a system of all-purpose local authorities in Scotland. In those three years, the discussion has been lively and the interest has been great. But after three consultation papers on local government and on water and sewerage, a White Paper, a Second Reading debate, almost 180 hours of debate in the Standing Committee and a two-day Report stage, we are now on the home straight of this particular marathon. This seems the right moment at which to express a word of thanks to all those—hon. Members, local authority councillors and staff, interested organisations, the general public and Scottish Office officials—who have contributed to the Bill. It is the better for their contributions.

I pay particular tribute to my hon. Friend the Member for Eastwood (Mr. Stewart) for so skilfully and patiently steering the Bill through its stages in the House, ably assisted by his fellow Parliamentary Under-Secretaries of State, my hon. Friends the Members for Edinburgh, West (Lord James Douglas-Hamilton) and for Dumfries (Sir H. Monro). This also seems an appropriate moment—dare I say it?—to go back to basics: back to the basic principles underpinning the reform, because the arguments that led every political party in Scotland to propose single-tier local government for Scotland during the 1992 general election are as valid today as they were then and as valid as when Lord Wheatley's commission acknowledged them. The reform is about accountability and effectiveness in local government. The present two-tier structure lacks accountability in the most dramatic way. The "criss-crossing of responsibilities", which Lord Wheatley rightly identified as a fundamental problem in any multi-tier structure of local government, is an insurmountable barrier to real accountability.

Mr. John Home Robertson (East Lothian): Will real accountability apply to the right hon. Gentleman's three new water super-quangos?

Mr. Lang: I shall come to the water authorities later.

Everyone, from the Labour party to polling organisations, has found that far too many Scots are unfamiliar with what tier of local government is responsible for what service. It is little wonder that people are confused. Currently both tiers of local government are involved in a huge range of functions—conservation areas; the countryside; development control; grants to voluntary bodies; industrial and economic development; leisure and recreation; listed buildings and ancient monuments; planning; nature conservation; tourism; and urban development. In the circumstances, it is quite impossible to have a properly accountable system of local government.

And if councils are not properly accountable they lack authority and credibility. For too long, these problems have afflicted local government in Scotland.

Mr. James Wallace (Orkney and Shetland): Under the Bill's proposals, it will be possible in some areas to have a single-tier authority dealing with some functions, a joint board involving two authorities with other functions, and a joint board involving three authorities with yet others. That being so, does the right hon. Gentleman believe that members of the public will know where responsibility lies? Will not there be even more confusion?

Mr. Lang: It is a pity that the hon. Gentleman is not aware of the distinction between joint boards and elected councils. People will look to the single-tier, all-purpose elected council and its members for all local services. How these are delivered—whether through joint boards, through committees or by means of other shared or customer-client arrangements—will be a matter for authorities to develop.

Under the new structure of all-purpose councils, local people will know exactly who is responsible for local services in a way that is impossible in a multi-tier structure. The absence of confusion over responsibility will put local people in a far better position to encourage councils to be responsive. It will clear the lines of accountability, and it will be a shot in the arm for local democracy in Scotland.

It will also yield for Scottish local government that other characteristic that has been denied it by the current two-tier structure—maximum effectiveness. Of course, the present regional and district councils do, by and large, discharge their functions competently, within the constraints of their structures. But they are hamstrung by being part of a two-tier system. The fact that the new councils will be responsible for all local services will ensure that those services are delivered more effectively. Bringing together, under one roof, services such as housing and social work or education and leisure and recreation will bring immense benefits to local service delivery. The positive benefits of greater co-operation between those responsible for securing services will be achieved, and the present friction between tiers of government, which is all too familiar, will disappear altogether.

Mr. Tam Dalyell (Linlithgow): How will the service of strategic planning be delivered?

Mr. Lang: Planning will be a matter for the single-tier local authorities, which will co-operate with one another in the case of planning on a broader scale.

If the new local authorities are more accountable and more effective than their predecessors, they will be more powerful. In any case, each new council will have more powers than either of its predecessors. As the sole elected council for its area, each will speak with undoubted authority for the communities that it represents. And because it will be able to co-ordinate local service delivery to an unprecedented degree each new council will have an enormous ability to act as a force for good in the area that it represents.

As a result of the Bill, these huge gains in local government are coming over the horizon for the people of Scotland. I am pleased that, thanks to the work of my hon. Friend the Member for Eastwood and other hon. Members, as well as of local authorities and others, the boundaries of the new authorities should be so widely acceptable. From the start of this reform, we have made it clear that three principles will apply to the determination of the boundaries of the new authorities. First, the new structure should not be based exclusively on either of the existing tiers of local government. Secondly, the new units need not be of uniform size but should reflect local circumstances. Thirdly, Parliament should have the final say over the boundaries of the new councils. That was the case under previous reforms, and is the case here. My hon. Friend the Parliamentary Under-Secretary has met more than two dozen delegations from different parts of the country, led by hon. Members, and I have also met hon. Members and others. In total, the House has spent more than 22 hours debating the boundaries of the new authorities. Boundaries are a serious matter, and we have taken them seriously. Significantly, despite their at times offensive rhetoric, the Opposition divided the Committee only three times on the subject of boundaries.

The result of the work that has been done over the past three years is a structure of 32 authorities. It may not be everyone's ideal structure, but it is a structure based on consent. Every one of the new authorities enjoys the support, either of existing local authorities directly affected or local Members of Parliament, or both.

With the exception of minor boundary variations enjoying local support, the boundaries of the new authorities are those that emerged following the previous reform of local government. The overall total of 32 authorities represents the midway point between the range of options canvassed in the Government's second consultation paper. The House has sought to make far fewer changes to the scheme proposed for the present reform than the dramatic changes that it wrought on the Wheatley proposals of 20 years ago.

Mr. George Robertson (Hamilton): I want to nail one canard immediately. The Secretary of State said in an article in *Scotland on Sunday* a couple of weeks ago that the boundaries were based on consent. He is now trying to make out that the fact that there were only a minimum number of Divisions in Committee on boundaries showed that there was popular support for the proposals. We are opposed root and branch to the redrawing of the Scottish council map on a party political basis, which is what the Government have done. However, to take up the time of the House and the Committee with hours and hours of voting on that map would not be productive. The Bill and the boundaries will die. The issues, not simply the Government's gerrymandered lines, must be brought to the attention of the Scottish public.

Mr. Lang: We are seeing a change of policy from the hon. Member for Hamilton (Mr. Robertson). He was happy to waste the time of the Committee by talking and voting on a range of other matters. The fact is that most Labour Members are content with the local boundaries for their areas—*[Interruption.]* Yes they are—perhaps they have not been saying to the hon. Member for Hamilton what they have been saying to my hon. Friend the Under-Secretary and me. If the Labour party were as opposed to the proposals as it pretends to be, it would have divided the Committee. *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. There is now too much noise, to the point where I cannot hear what the Secretary of State is saying. Interventions are one thing, but repeated sedentary commentaries are another.

Mr. Lang: The structure that we have is sensible, balanced and durable. It is the right structure for Scottish local government for the 21st century. Of course, there are those who do not support the structure or have complaints about particular parts of it—that is inevitable in such a complex exercise. But I believe that now is the time to draw the line under the consideration of boundaries. The Government believe that the structure that we have now is the right one and are not contemplating further changes to it.

We also believe that the structure will yield continuing savings in the years ahead. We have made it clear throughout the reform that costs are only one part—admittedly an important part—of it. What matters most is obtaining the right structure of local government. It is therefore particularly pleasing that the reform will yield savings over the longer term. Of course, there will be transitional costs, but they will be a price worth paying for longer-term savings and a better, more durable structure of local government.

The structure that we have settled on will comprise 32 authorities, compared with our original proposals for 28. All four additional authorities are the result of proposals made by Opposition Members and accepted by the Government. That will, of course, have implications for the costs of reform and for the savings. We now estimate that the short-term costs will be up to £5 million less than was estimated on Report, at a ceiling of about £190 million, while the consequential long-term savings will also be a little lower, at up to £52 million a year. That is still a saving of £1 million a week, and the savings will continue in the long term.

It is on the subject of costs that the Opposition have got themselves into a terrible mess. In November, the Scottish Labour party published a briefing paper that stated that local government reorganisation would cost £200 million. Three weeks later, the hon. Member for Hamilton said that local government reform would cost at least £500 million. By March, the figure had risen to £720 million. The hon. Member for Fife, Central (Mr. McLeish) said that his own Fife council tax payers would face huge increases in their bills to pay for local government reform. He said that a band D council tax would rise from £621 to £1,061 in Dunfermline and from £664 to £1,094 in Kircaldy—and all that despite the fact that Labour-controlled Fife region, where I understand the hon. Gentleman learned what he knows about such matters, has stated that a single-tier Fife authority will produce savings of almost £5 million per annum.

Mr. Dalyell: Will the Secretary of State make available to professionals such as David Chynoweth—not politicians, but the professionals who conducted the Convention of Scottish Local Authorities report—the background working and evidence on which his figures are based? Will the Scottish Office workings be made available to COSLA? Yes or no?

Mr. Lang: Those figures have been considered extensively in Committee. The Touche Ross report has been published, discussed and revised in the light of input from COSLA and others. The combined estimates of all the local authorities—which have shown estimated savings for their own areas—added to the Touche Ross report and the fact that we are halving the total number of authorities in Scotland, underline the probability that the figures are broadly accurate.

Up and down the country, local authorities have done detailed work on how a single-tier structure will produce savings. From Highland region to Cunninghame district and from Dundee city to the Borders, local authorities have established clearly that a single-tier structure will produce savings. Of course, the final figures will depend on decisions to be taken by the new councils. But what is clear today is that the Opposition have been flying blind on the issue and indulging in plain old-fashioned scaremongering.

Mr. Michael Connarty (Falkirk, East): Does the Secretary of State accept that he is making a fool of himself in trying to say that the figures of the Chartered Institute of Public Finance and Accountancy will not be properly challenged by the Government? The figures are being dismissed as though they have been done on the back of a cigarette packet. They have not been challenged by the Government, who have not refuted the figures in the Committee or in the House.

Mr. Lang: As I have said already, of course the CIPFA figures are taken into account. But the figures have been gone over in great detail. We have used outside professional consultants and published the figures. Local authorities have commissioned studies by consultants that sustain the general trend of the figures. The Opposition will not accept the figures simply because they do not suit their case.

A major part of the Bill involves the restructuring of water and sewerage services in Scotland. From the time of the first consultation paper in 1991, the Government have made no secret of the fact that they expected that the provision of water and sewerage services would best be handled by organisations separate from the new unitary authorities. The scare-a-day Labour party immediately claimed that we were hellbent on privatisation. We said that we were looking for a Scottish solution to a Scottish problem, and that we meant what we said. We considered a range of options, including privatisation, and rejected them. We settled finally on three new publicly owned water authorities. Water and sewerage services are being restructured within the public sector.

The new structure will produce two key benefits. It will make maximum use of existing resources through economies of scale and it will deliver the necessary new resources for investment on the best terms possible. The result will be lower prices for consumers of water and sewerage services than would be possible if the present structure were retained.

Mr. Alex Salmond (Banff and Buchan): I want to explain to the Secretary of State why we doubt his commitment not to privatise. While the Secretary of State says that he is veering away from privatising water, the President of the Board of Trade apparently wants to privatise the Royal Mail. Does the Secretary of State believe that privatisation of the Royal Mail is any more popular than the attempt to steal Scotland's water?

Mr. Lang: The hon. Gentleman is tempting me away from the subject of the Bill. I shall resist the temptation to respond as I should be rapidly called to order if I tried to do so.

The new structure will also have within it a clear focus of accountability in the shape of the new customer councils. For the first time, consumers of water and sewerage services in Scotland will have a powerful watchdog working on their behalf, with the sole objective of ensuring that the new water and sewerage authorities are as consumer friendly as possible.

It has taken us three years to arrive at the new structure for water and sewerage services in Scotland. It will be several years before the new authorities are fully up and running. They are the Government's solution to the problem; they are a long-term, durable solution and I hope that in future councillors will play their part in helping to secure the efficient delivery of water and sewerage services by serving on the new authorities and the watchdog consumer councils.

The Bill has posed all sorts of difficulties—for the Labour party, of course. After all, the Opposition were in the vanguard of the calls for local government reform in Scotland—not that the hon. Member for Hamilton was aware of that when he embarked on his misplaced campaign of opposition to the Bill.

The hon. Gentleman and my right hon. and learned Friend the Minister of State addressed the same annual conference of the Convention of Scottish Local Authorities in March. My right hon. and learned Friend reminded the conference of the Labour party's commitment to single-tier local authorities; and to a radical vision of local government in Scotland spelt out in its policy document on the subject. He reminded the conference of Labour's vision of

"much additional service development in the future taking place through partnership or contractual arrangements with other agencies. Local authorities should be able to develop their enabling role,"

Labour claimed,

"frequently acting as the commissioning agency rather than the direct provider of services."

That and other commendable statements included in my right hon. and learned Friend's speech so confused the hon. Member for Hamilton that he set off on a desperate search to find the policy document in question, but his search was in vain.

In desperation, he wrote to the Minister of State four weeks after the original speech to ask for the precise source of the quotations that he had used. Happily, to enable the hon. Gentleman to obtain a copy of the document, my right hon. and learned Friend suggested that he write to Mr. Jack McConnell at the Scottish Labour party, Keir Hardie house, 1 Lynedococh place, Glasgow: telephone number 041 332 8946; fax 041 331 2566. In case he has not had the time to so, I have a copy here which I shall willingly lend to the hon. Gentleman after the debate.

Of course the hon. Member for Hamilton must be surprised that the Bill has got this far. After all, he took personal charge of the campaign to persuade Conservative Members to vote down the Government's proposals. It was a complete and total failure.

If we are to believe the hon. Gentleman, the House's consideration of the Bill has been an uninterrupted succession of parliamentary triumphs for the Opposition. In the *Municipal Journal* of 29 April, he listed 13 concessions supposedly wrung from the Government by the Opposition—it might seem impressive, but on closer inspection the 13 so-called concessions are not what quite what they are said to be. Let me list some of them.

First,

"denominational school catchment areas to be protected by the Secretary of State's veto"

— they always were; nothing has changed.

Secondly,

"Scottish police boards to be made up solely of local councillors"

— they always were; nothing has changed.

Thirdly,

"names of present fire brigades to be retained"

— that is a devastating one, but it involved no change to the Bill. Perhaps it explains the headline in *The Herald* of 1 November:

"Labour to set fire burning under Tory MPs".

Fourthly,

"Cash from property disposal to go to new councils and not to the Treasury"

— it always did; nothing has changed.

Concessions five and six:

"Water disconnection ban in Scotland to be specifically in statute for the first time"

and,

"Water disconnections to be outlawed".

In other words, two of the so-called concessions claimed by the hon. Gentleman are one and the same and were simply a statement of unchanged Government policy. Nothing has changed.

As Marlowe might have put it:

"Is it not passing grave to be a King,
And ride in triumph through Persepolis? "

It has been quite an odyssey since that June day three years ago when we first published proposals for single-tier local government in Scotland. It was to be the reform that never was. First, it was to be the reform that was Treasury driven; then it was the reform that the Treasury would veto. It was to be the reform that would be destroyed by rebel English MPs—the reform would be wrecked in Parliament. Here we are on Third reading, however, our plans firmly on time and on track. The reason why they are on track is that the arguments in favour of all-purpose authorities are compelling. The strength of the arguments was recognised by the Wheatley commission, by the Stodart committee and even by the Labour party.

The case for single-tier local government was made before the last restructuring and has continued to be made since. The case for single-tier councils has proved so persistent and persuasive throughout the past two decades that reform has been inevitable. If there was a strong case for all-purpose authorities before—when, as one commentator put it—the

"dominance of municipal provision was unquestioned",

there is an overwhelming case now that local government has changed.

Now the emphasis is on the strategic role of local authorities rather than on the role of providing services directly at their own hand. As the Labour party's own policy document urges and as the hon. Member for Dunfermline, East (Mr. Brown) once put it,

"To achieve the best and not just the basic public services, we must modernise and transform our social and economic fabric by creating new partnerships between public and private sectors."

This reform of local government is far reaching.

Mr. Dalyell: Will the Secretary of State give way?

Mr. Lang: No. I have given way twice to the hon. Gentleman.

The reform is designed to make sure that our councils reflect the 21st century and not the 1960s. It is based on the simple but compelling premise that one local authority in

[Mr. Lang]

each area should be responsible for all local services. It is designed to restore diversity to the structure of local government and to restore vibrancy to our local councils.

Under this reform, each local community in Scotland will be represented by a single strong council. Councils will be in harmony with their communities, not out of tune. There will be city councils for our cities and rural councils for rural areas—a new, stronger local democracy. That is what the people of Scotland want and in just 677 days from now, that is what they will have.

5.36 pm

Mr. George Robertson (Hamilton): I shall first refer to the regrettable and perfectly understandable absence of Under-Secretary of State for Scotland, the hon. Member for Dumfries (Sir H. Monro), whose wife died this weekend. On behalf of all my colleagues, I express the deepest sympathy for the hon. Gentleman in his bereavement.

Let me make one first and obvious comment as we start the Third Reading debate. The Bill is not a reform. On the contrary, it represents a partisan dismembering of Scottish local government structures which have lasted, endured and served Scotland well for the past 20 years. It is not a rationalisation of the two tiers of local government for more efficient, effective local councils. Instead, it is a brutally cynical exercise, creating small, unviable councils leading, as night follows day, to the bulk of the decisions being taken by anonymous joint boards dominated by the fiat of the Secretary of State for Scotland.

The Bill is not a means of saving public money by eliminating one level of local government. Instead, it is a messy, ill-thought-out, divisive and politically corrupt exercise which will be enormously expensive and which will deliver no savings to the taxpayer. It is not a reorganisation of Scotland's local democratic structures, which, if it had taken place in the right circumstances, might have enhanced the delivery of services and revitalised decision-making at a local level. Instead, it is a weaselly redrawing of the map of Scottish local government to the perceived advantage of the Tory party in future local and parliamentary elections.

It is not a measure based on any independent study or on principles of what is good for Scotland. It is not based on consensus or review or genuine consultation. Instead, and sadly for Scotland, as for democracy itself and for the vitality and effectiveness of local government, it is rooted in chicanery built on malice, long-term Tory electoral failure in Scotland and constructed on a bed of obsessive centralisation. For all those reasons, it is doomed and it deserves to be doomed.

Yesterday, in a bizarre theatrical event held at the Scottish exhibition centre in Glasgow, the Secretary of State launched the Tory Euro-campaign, complete with an audience that applauded the Secretary of State's every word. The Secretary of State implies that people just turned up—they just happened to the passing the SEC on a sunny Monday morning at 9.30, wandered in to hear an amazingly revitalising discussion and applauded every word from the Secretary of State for Scotland. That was quite an achievement, given the number of supporters that the Secretary of State still has in Scotland.

I was interested in one of the things that the Secretary of State said, which undoubtedly got applause from the hand-picked audience:

> "There has been a clear indication that the people of Scotland, like the people of the rest of Britain, are too worried about the centralisation process of Europe, about Europe playing too dominant a part in our lives."

It would appear that the Secretary of State for Scotland, that born-again Euro-sceptic, is too worried about the centralisation process in Europe. The Bill centralises, in his own hands and those of the faceless joint boards and quangos, practically every service that is delivered by local government: education, social work, transport, police, fire, trading standards, regional chemists, regional analysts—even children's hearings reporters—and, most importantly, in three super-quangos directly responsible to him, Scotland's water. What worries and concerns the people of Scotland is not the ghouls and ghosties that the Secretary of State dreams about in Brussels, and which he proclaims in the empty halls of the Scottish exhibition centre in Glasgow, but his Edinburgh centralisation.

Consideration of the Bill in the House of Commons is coming to an end, but it still has quite a long way to go before the Secretary of State's new model of emasculated, gerrymandered local government is in place in Scotland. The Government have lost the argument at every single stage. There is no more convincing, unavoidable evidence of that than the miserable 13.7 per cent. of the Scottish vote that the Conservative party got in the regional elections only three weeks ago. Who would have thought, a generation ago, when the Scottish Conservative and Unionist party had a majority of the Scottish electorate, that the Conservative party could sink so low as to come barely above the election campaign record of Screaming Lord Sutch? Fewer than 14 Scottish people in every 100 now support the party that pretends to have the power and control over Scotland today.

The Government still have the trappings of power in Scotland—the cars, civil servants, glossy pamphlets, big launches and big offices and buildings—but with 86.3 per cent. of the people of Scotland against them, Ministers are left with all the vain credibility of the old eastern European apparatchiks. That is what they are. They are in office, but they have no authority. They strut around the stage of Scottish politics, but the emperor has no clothes. They still have the power, and they draw more and more of it to the centre and into their own hands as they chip away at local democracy, but, without public consent and support, they are corrupting that power, and the wise and intelligent people of Scotland will never forgive them for that.

Of course, the Bill has not escaped undamaged. The Government were forced to abandon their clear, undoubted intention immediately and fully to privatise water in Scotland on the English model.

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart) *indicated dissent.*

Mr. Robertson: There is no doubt that that was the Government's intention, and some hon. Members, including the hon. Member for Eastwood (Mr. Stewart), who, with theatrical affectation, shook his head at that point, wanted that. They are ideologically committed to it, but they were forced by the pressure of public opinion to back away from that.

Mr. Stewart: Prove it.

Mr. Robertson: The hon. Member for Eastwood, heckling from a sedentary position, says, "Prove it." Last week, I pointed to the fact that a mere handful of lines are used in the Government's consultative document to describe the option that they eventually chose, but 250 lines are devoted to describing the privatisation option and its attraction. That, combined with what they did in England and Wales, and what the Prime Minister blew the gaff on at the Dispatch Box, is as good a proof as the people of Scotland need. If the hon. Gentleman wants to question that, I refer him to the statistic that should haunt him and every other Conservative Member—13.7 per cent. of the people of Scotland support them and 86 per cent. are against them.

Mr. Bill Walker (Tayside, North): The hon. Gentleman was in Committee and will be aware of my views on privatisation. I am bitterly disappointed, because I happen to believe my right hon. and hon. Friends on the Front Bench when they tell me that they are not going to privatise. I personally want privatisation.

Mr. Robertson: At least the hon. Gentleman is honest in declaring his objective. Would that other people had the same honesty in declaring their private ambitions before the force of public opinion in Scotland turned them away from what we know was their intention.

Mr. Phil Gallie (Ayr): Surely this is old hat. Surely we have heard it all before in Committee. Is it not the case that my right hon. Friend the Secretary of State went out to consultation, the people of Scotland came back and suggested that they did not want privatisation, and to his credit my right hon. Friend listened and acted?

Mr. Robertson: If the Government were capable of listening to the people in the way in which the hon. Gentleman would have us believe, they would listen to the people of Scotland who say that they do not want the Bill and would take it away and rethink it, or better still abandon it completely.

Mr. Raymond S. Robertson (Aberdeen, South): The hon. Gentleman has counted the lines in the consultation document on water and drawn a conclusion. In the Labour party manifesto of 1992, there were 15 lines on law and order. Am I therefore entitled to draw the same conclusion about the Labour party's commitment to law and order?

Mr. Robertson: The hon. Gentleman is vice-chairman of the Conservative and Unionist party in Scotland—a position that he has held for precisely the period that it has taken the support for the Conservative party to go down from 30 per cent. to 13 per cent. Having burnt his fingers in that spectacular way, he might at least have thought up some better lines than that. The comparison is between the 15 and the 200-odd lines, but the evidence is not in what I say. It is not based on what the hon. Gentleman would have us believe. It is in the figure of 86 per cent. of the Scottish people who voted against the Conservatives three weeks ago in the regional elections. That is the proof. They simply do not believe the Conservative party, and they have every right not to.

In Committee, the Government were obliged—originally, they did not want to, and said that they did not have to and that it was superfluous—to put the illegality of water disconnections in Scotland on the face of the Bill. When that matter was raised by my hon. Friend the Member for Fife, Central (Mr. McLeish), the hon. Member for Dumfries said that it was absolutely unnecessary and that there was no need to put it in the Bill, because it was in the Water (Scotland) Act 1980.

The reality is that the Government came back and put it in, because they needed to, in one further vain attempt to persuade the people of Scotland that their ambition, which they still harbour, was not to be realised immediately. They were forced to endure the record-breaking Committee, from which the Secretary of State for Scotland had scuttled away at the beginning, right up to the humiliation of the regional elections. That is one of the things that I said on Second Reading. The regional elections would provide a forum, a referendum, on the Government's proposals. If the Government are interested in the views of the Scottish people, let them learn the lesson of the elections. In Committee, they had to abandon the wildest gerrymandering proposals in the Bill—the amputation of Berwickshire from the Borders and the ludicrous Balerno corridor that they proposed between the Lothians—and, of course, their timetable for the unwanted reorganisation is now a complete shambles.

The Bill simply cannot receive its Royal Assent until October or November of this year, which will leave only six months until the proposed shadow elections in April of next year. Of course, Ministers can ignore wholesale public hostility to the Bill and reorganisation. They can—they are daft enough, suicidal enough and idiotic enough—simply fly in the face of the electoral humiliation that they have just experienced and press on regardless.

The Government can, if they want, use the draconian power conferred on the Secretary of State in schedule 2 —one of the many draconian powers contained in the Bill —to draw in secret, on the back of some used Tory party leaflets, the new ward boundaries on which the elections are likely to be fought. They can bring those proposals to the House of Commons for a one-and-a-half hour debate, although I promise that they will be given a rough ride if they try such tactics. They can do all that because they have the technical powers, even if they do not have the consent of the people of Scotland.

If the Government are unwise and suicidal enough to do those things, however, they will deliver this reorganisation only at the expense of devastation of vital services for the most vulnerable people, and at huge cost in the disruption and uncertainty caused to business and commerce across Scotland.

Yesterday, at a press conference, I sat beside the chairman of Glasgow chamber of commerce. In measured tones, he told the assembled press, "Glasgow chamber of commerce is still not persuaded that this reorganisation is necessary." Ministers should take careful note of that declaration: it was made in public by someone who is intimately connected with business in the west of Scotland and who represents the largest group of business people in that area.

There will be disruption to special needs education, community care, transport and strategic planning. All that disruption is predictable: people with no political partisan interest have drawn it to the attention of the House. The timetable for the reorganisation is in ruins, not because of a lack of co-operation on the part of Scottish councils but as a result of the incompetence, slipperiness and arrogance of Scottish Office Ministers.

[Mr. Robertson]

In *The Guardian* on 7 May, Mr. Martin Kettle—a distinguished journalist and an outsider viewing the Bill perhaps for the first time—had this to say:

> "the carving up of Scotland's local councils in the Local Government etc. (Scotland) Bill is one of the most disgraceful pieces of one-party political arrogance in modern times."

He was spot on. We have spread the same message throughout Scotland, and the pitiful 13.7 per cent. of votes obtained by the party of government shows that we have succeeded in getting it through to the people.

The Bill, like the reorganisation that it promises—indeed, threatens—is flawed at its very heart. The atomisation of Scotland's local government set-up into a patchwork of some large, very many tiny, all-purpose and in many instances unviable councils will be an extremely expensive, hugely unpopular and unsuccessful folly. If they notice it at all, the history books will call it Lang's folly. Perhaps it will be the Secretary of State's farewell shot as he takes off to lead the English Conservative party, as he is widely tipped to do. If he can do for it what he has done to the Tory party in Scotland, he will do a great service to the British people.

Three hundred thousand employees of Scotland's councils are about to be thrown into an unemployment limbo, with only European law—the acquired rights directive—to help them. As that European legislation helps them, it will also make a mockery of the Government's figure for savings, which seems to derive entirely from the idea of sacking people from their jobs in local government. Today, the House has yet again been faced with brand-new figures—brand-new revisions of the previous totals, which we were told represented the actual savings and costs of local government. We are never given the background information and calculations and the Secretary of State repeatedly refuses to give detailed answers to the detailed points in letters sent to him.

The services expertly delivered by people in local government will be thrown into the turmoil of a transition so ill-thought-out and lacking in popular support that every facet of Scottish life will be affected and damaged. It will be remembered that it was this Conservative Government who, in Scotland, invented and pursued the poll tax. Sensible people thought that the Government might have learnt from that profligate fiasco, but, as the Bill shows, they seem to learn very little from such expensive disasters.

The Bill deserves only one fate: to be abandoned now. Privately—secretly—Ministers and Back Benchers would love to do that. It has no future; it will be swept away with the Labour victory that the local election results show to be inevitable now. If it is remembered at all, it will be remembered for one thing only—as one more spectacular stupidity that contributed to the demise of the Scottish Conservative party. In that one respect, it will have made its contribution to the good of Scotland. I urge my colleagues to vote against it.

Mr. Dalyell On a point of order, Madam Deputy Speaker. I have given you and the Clerk notice of this point.

I hope that I do not have a vindictive record in the House, but I feel that a matter of principle is involved in deciding whether those who are not fully fledged civil servants—however considerable and malign their influence on the Bill may be—should sit in the Box. Will you raise with Madam Speaker the question of those who are not fully fledged civil servants in the Scottish Office sitting in the Box?

Madam Deputy Speaker: I am not aware that the occupant of the Chair has ever recognised the existence of those who occupy what is usually called the Officials' Box. I am grateful to the hon. Gentleman for giving me warning of his point of order; I shall certainly ensure that the matter is taken up with Madam Speaker, but I know from what he has said that he does not expect me to take it further at this stage.

5.57 pm

Mr. Raymond S. Robertson (Aberdeen, South): I shall be brief, as I know that many hon. Members wish to speak.

The day after the publication of the White Paper that started this whole process, *The Press and Journal* carried the banner headline "Aberdeen achieves goal". Following the conclusion of the Bill's Commons stages tonight, that goal will take an important step nearer to reality.

As my right hon. Friend the Secretary of State observed, as the Bill nears the end of its stages it is appropriate for us to look back. I think we can safely say that we have enjoyed—if that is the right word—an Opposition Supply day, a Grand Committee debate in Edinburgh, a debate on the Gracious Speech, a Second Reading debate and marathon Committee and Report stages before arriving at Third Reading. During all those hours of debate, Conservative Members have become used to hearing Opposition Members quote the words of various councillors and officials in an attempt to gain votes against my right hon. Friend's proposals from different parts of Scotland.

In Committee—thanks to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes)—we all became experts on what virtually all his constituents were thinking, and got to know them all virtually by name. We became very used to hearing from the hon. Member for Linlithgow (Mr. Dalyell) about the various letters and phone calls that he had received from all over Scotland. Throughout his tour of the disgruntled of Scotland, however, we never arrived at Aberdeen. That town was never prayed in aid by Opposition Members as they searched for one-liners to quote, looked for scare stories to run and predicted doom, gloom, rebellion and chaos. It must irk the hon. Members for Hamilton (Mr. Robertson) and for Fife, Central (Mr. McLeish) that their colleagues in Aberdeen never once gave them a sound bite during all those hours of debate.

Why is that? Could it possibly be because every political group in Abderdeen district council, on the day of the White Paper's publication, fell over itself to support a single-tier Aberdeen? Could it possibly be because the Labour group, responding to the White Paper last year, said:

> "In short, local government in Aberdeen could be improved by re-establishing the City as a unitary authority. The Council argues that this would promote a more efficient, acountable, economical and responsive local administration and service delivery"?

Before Opposition Members shout "All under a Scottish Assembly", I shall tell them that, in the council's entire response, the words "Scottish Assembly" do not appear at all.

Or could it possibly be that the Labour party in Aberdeen took to heart an editorial in *The Press and Journal* on 19 August last year? It said:

> "The clearest signal to the electorate today that Aberdeen Labour councillors have at least some regard for the welfare of their city would be a vote backing single-tierdom that they have sought for so long.
>
> Or would that require backbone, commonsense and independence of spirit that seem in desperately short supply in Labour local-government cliques?"

Mr. Wallace: I seem to recall that, on Second Reading, the hon. Member for Aberdeen, South (Mr. Robertson) was very much against the inclusion of Westhill in Aberdeenshire as opposed to Aberdeen. Is he now satisfied with the Aberdeen single-tier authority as presently constituted?

Mr. Robertson: I am absolutely in favour of it: I voted for it in Committee. Or could it possibly be that everyone who cares about local democracy in Aberdeen all agreed with Labour's councillor, Jean McFadden, when she identified that the real threat to local government in Scotland would come in the form of a Scottish Assembly? Writing in the *Glasgow Herald*, she said:

> "I think we have to be very much on our guard here. There may well be a tendency for the Scottish parliament to suck up power from below."

From whatever angle it is approached, the message from Aberdeen is clear. The people of Aberdeen, the politicians in Aberdeen and the business community in Aberdeen all want the Bill.

It is an appropriate time to say to my right hon. Friend the Secretary of State and to other of my hon. Friends on the Government Front Bench that the challenge for us on this side of the House over the summer, into the autumn and on to the shadow authority elections is to ensure that, elsewhere in Scotland, the reforms and the plans are as clearly understood by the people of Scotland as they are in the granite city, because the message from Aberdeen— *[Interruption.]* The message from Aberdeen is that, when the proposals are understood, when the scares give way to facts, the people respond and they are enthusiastic.

Mr. Connarty: Moving on from the boundaries, will the hon. Gentleman cite one example of a councillor in the city of Aberdeen, Labour or otherwise, who supports the proposals for water, for the police or for any of the other services?

Mr. Robertson: In supporting the concept and supporting the plans that my right hon. Friend is clearly setting out, of course they support the plans in their entirety. They have not selected one aspect of the plan—as the hon. Gentleman has implied—and said that they support one thing but not anything else. They accept a single-tier Aberdeen as the best way to provide services for the people of Aberdeen and all that that entails.

The hon. Member for Hamilton has made much of the local election results on 5 May. Indeed, many Opposition Members have done that. Again, interestingly, they have not mentioned the results in Aberdeen. Perhaps that is because in my constituency all Conservative regional councillors in the city—John Porter, Jack Dempsey, Joy Gordon and Tom Mason—campaigned hard for a single-tier local authority. They all put that at the centre of their appeal,and all won. Their election address made that very clear. They were all handsomely returned and, indeed, in one of the divisions in which the hon. Member for Hamilton came to Aberdeen on a bank holiday and campaigned hard, we increased our vote and our majority. So I say to my hon. Friends, "Come the general election, invite the hon. Gentleman along: he will do wonders for your vote."

I am not for a moment belittling or criticising the many fine Conservative councillors who lost on 5 May, or the many outstanding candidates who never made it. However, I am told constantly by Opposition Members to listen to the people and to learn a lesson from 5 May. The lesson that I take from my constituency is one from which my party and the whole of Scotland can learn: from now to the shadow authority elections in April, we must challenge head-on every scare, every misrepresentation, every half-truth and every untruth. In doing so, we shall have nothing to fear.

Mr. Robert Hughes (Aberdeen, North): The hon. Gentleman will find it difficult to challenge them because he spends all his time making them up himself.

Mr. Robertson: One of Scotland's national newspapers said today that the debate marked the end. How wrong it is. The debate marks only the beginning of the end of round one. In round two, the debate will move away from this place, as we on this side take to the Scottish people my right hon. Friend's vision for local government in Scotland. It is a new era in the affairs of local government —strong, accountable, powerful unitary authorities—yet, at the same time, councils, by their very nature, will be sensitive to local needs and responsive to local requirements.

In the run-up to April, we shall take every opportunity to remind our fellow Scots that that is in stark contrast to what is on offer from each of the Opposition parties. They offer an assembly in Edinburgh which would plunder the powers of local councils and take them to Edinburgh, thus denuding councils and town halls up and down Scotland of their rights and responsibilities and centralising them on Calton Hill. They offer to take decision-making away from the people rather than empowering the people through one councillor and one council.

That is the choice facing the Scottish people in April. For us, the shadow authority elections start the day after the European campaign ends. We shall campaign hard for the measures in the Bill, for the councils that it will create and for the new partnership in local government that will result. I have no doubt that, when we do that and take our message to the Scottish people, they, in turn, will respond.

6.6 pm

Mr. Norman Hogg (Cumbernauld and Kilsyth): Thank you, Madam Deputy Speaker, for calling me so early in the debate.

The hon. Member for Aberdeen, South (Mr. Robertson) will forgive me if I do not follow what he said about Aberdeen. I can only say as an Aberdonian that it is certainly not my conclusion that the people of Aberdeen are flocking in great numbers to support the Conservative party. If they are doing that, as recently as three weeks ago there was precious little evidence of it. There is precious little evidence, too, that there is any support for the Bill in Scotland. It has been universally condemned. The Convention of Scottish Local Authorities, which the Secretary of State did not seem to like recognising, was opposed to the Bill. Individual local authorities were

[Mr. Norman Hogg]

opposed to it. Individual councillors, irrespective of their party, were opposed to it. But, most important, the people of Scotland were opposed to it.

The Secretary of State said that he was going "back to basics" and he said that there were three basic principles on which the reform—he calls it reform—or the reorganisation was founded. He went on to tell us what those three principles were and it seemed that they were mechanisms only, designed to be convenient for the Conservative party and not for any other purpose. I shall give him three principles on which any reform ought to have been founded: first, to provide the best arrangements for representing the people and the communities, which they, not the Government, recognise; secondly, to provide the best arrangements for democratic control over the local bureaucracy; and, thirdly, to provide the best arrangements for cost-effective and efficient delivery of services.

None of those principles is contained in the Bill, which, in fact, is a most unprincipled measure, reflecting an unprincipled Government who have devised and drafted it. What principle drove the Government to drafting the Bill? There is no principle at all. It was designed to facilitate a Conservative party that has all but passed out of Scottish political and public life.

Of course, as they see it, there is a need for success, somewhere, anywhere, by creating unrepresentative councils out of places which often have nothing in common. All hon. Members would be able to tell the House of some eccentricity or madness in their area that has been dreamt up by the demented hon. Member for Eastwood (Mr. Stewart). It is his fault that we have such a situation on our hands. It is his fault that it is happening. He is kowtowing to the chairman of the Conservative party in Scotland, Michael Hirst. [HON. MEMBERS: "Sir Michael Hirst".] Yes, Sir Michael Hirst. In fact, I am quite sure that it would be a good idea if the council at East Dunbartonshire was renamed Hirst. That would be an appropriate name. Sir Michael, unelectable and unelected, has determined what should happen in the reorganisation. Some of us find such an apparatchik an unacceptable influence, but altogether consistent with what is going on nowadays in the Conservative party in Scotland.

Sir Nicholas Fairbairn (Perth and Kinross): The last time the extraordinary exercise of local government reorganisation was undertaken, Fife regional council did not add one hen or chicken to its population or alter its responsibilities in any way. It nevertheless increased the membership of its police from 16,000 to 18,000 and that of all other services by three. A socialist organisation did that: will it do the same this time?

Mr. Hogg: I agree that Fife regional council, like most in Scotland, is a socialist council.

There is further evidence of gerrymandering in my area. There is no consent for the measure among the political parties—including the Cumbernauld and Kilsyth Tory party and even Cumbernauld and Kilsyth Scottish National party—in so far as it has a view on anything—and certainly no consent among the ordinary people who have petitioned the Government, written letters, signed postcards of protest and voted against Tory candidates in local elections. However, it all adds up to nothing because this authoritarian Government are determined to push through this measure. We have arrived at a new slogan for the Tory party. Nowadays, it is "Whitehall, not town hall", which is the very opposite of what Tories said once upon a time.

Cumbernauld and Kilsyth has historical and administrative links with East Dunbartonshire with which it should be linked. However, that did not serve the ends of Sir Michael Hirst or those of the Tory party which is trying to create particular conditions for Bearsden and Strathkelvin. It is a serious charge—

Mr. Gallie: I am trying to follow the hon. Gentleman's argument. In view of his comments, and given his support for the notion of single tier authorities included in Labour's manifesto at the previous election, and given what I understand to be his "anti-feelings" for a Scottish Assembly, would he have been happy with the changes had he got his way over the boundaries that he wants for Cumbernauld and Kilsyth? If so, it is a pity that such an argument was not advanced in Committee.

Mr. Hogg: The answer is that I hope that I can always see the bigger picture. I hope that I come to the House with a view on Scottish local government as a whole and am not driven by parochial considerations of the type that apparently motivate the hon. Member for Ayr (Mr. Gallie). Even if the Minister agreed with what I wanted in respect of Cumbernauld and Kilsyth, I would still be immensely unhappy with the Bill and would vote against it for the reasons already set out by my party's Front-Bench spokesmen on Second Reading, in Committee and again today. I hope that that clarifies the position for the hon. Gentleman.

Mr. George Kynoch (Kincardine and Deeside): The hon. Gentleman has made some pretty strong accusations about how the boundaries were created. Unless I missed something in Committee, I did not hear the Labour party offer any proposals on boundaries, with the exception, I think, of Ayrshire.

Mr. Hogg: In fact, the Opposition tabled amendments affecting Cumbernauld and Kilsyth and East Dunbartonshire and they were consistent with the view that I am advancing now. The hon. Gentleman is therefore wrong.

It has become clear that the Government have tried to arrange things in my area in the hope that another part of Scotland will ultimately return a Conservative Member of Parliament and a Conservative-controlled local authority. There is no prospect of either likelihood being realised.

If there were a case for local government reform, the Bill has certainly not met it. A body such as a royal commission should have been charged with reviewing existing arrangements; there should have been full public consultation; the Government should have sought a consensus on any proposals for change; and, above all, any proposals should have had the confidence of the Scottish people. The Bill fulfils none of those criteria.

To use an old phrase, this is a wicked Tory Government. They are far removed from the principles on which the Tory party once thrived. This is not a matter of conviction politics; it is a product not of conviction politics but of expediency. There is no concept of one nation, just autocratic diktat. There is no belief in the people or the judgment of the people. The Government simply believe that they know what is best for us, that they are our betters, and that they can tell us how to behave and think.

The Scottish Office has no respect for the people or great institutions of local government in Scotland. The people have sensed that the Government have no respect for them, which is why the people have no respect for the Government and why 13.7 per cent. Tory support in recent elections stands as a condemnation of the Secretary of State and his Front-Bench team who have so clearly failed to take account of the view of the Scottish people.

This is a squalid Bill. It is the most squalid measure that I have encountered in my 15 years in the House. I am ashamed that it will be passed. The fact that it has been brought before us does not increase the respect in which Parliament is held. The people of Scotland will have none of it and they will have nothing to do with the Conservative Government. The Conservatives will be swept away in whatever elections they put up candidates.

6.16 pm

Mr. George Kynoch (Kincardine and Deeside): I listened to my right hon. Friend the Secretary of State with great interest and watched the reaction of the hon. Member for Fife, Central (Mr. McLeish). When my right hon. Friend referred to the confusion between the tiers of local government—confusion that I have encountered in my constituency—the hon. Member for Fife, Central shook his head and did not appear to accept that such confusion existed. I can only quote from a document published in February 1990 which stated:

> "The continuing widespread confusion about what tier carries out what functions undermines accountability."

That document, entitled "The Future of Local Government in Scotland", was the Labour party's pre-election policy document. It has been universally accepted that there is confusion between the two existing tiers and, as was mentioned on Second Reading, all the Opposition parties have at some stage advocated single-tier unitary authorities.

I also listened with interest to the hon. Member for Hamilton (Mr. Robertson), but I heard nothing new. Since I have been a Member of Parliament, and since the consultation documents were published, the hon. Gentleman has done nothing but scaremonger. He has spread scare stories about the setting up of a most cost-effective and efficient tier of local government, and about water and sewerage.

As the hon. Member for Hamilton repeated something that he said on Report, I shall repeat something that I said. I heard him say on the BBC "Scottish Lobby" programme that the issue of water privatisation was a dead duck and that the Government had made it virtually impossible for Scottish water to be privatised because of the insertion of clause 79, which enforces current legislation preventing water supplies from being disconnected.

The hon. Member for Hamilton clearly said that; I have it on videotape, and if he cares to ask to see it I shall be more than happy to arrange for it to be played back to him again and again. He does the people of Scotland a grave disservice by continuing to peddle such scaremongering to people who are less able than he to argue the point, and who have been told clearly many times by the Secretary of State and his Ministers that Scottish Water will not be privatised. However, we need to do something about it; we need to make it a better organisation, and to take it forward in order to find the £5 billion in capital expenditure that will be needed over the next 10 to 15 years, and to cope with the new structure of local government.

I talked about confusion. One of the main areas of confusion—

Mr. Salmond: The hon. Gentleman will have heard his colleague from the north-east, the hon. Member for Aberdeen, South (Mr. Robertson), express satisfaction with the Conservative party's results in the local elections. I found that confusing, so I checked in the edition of *The Herald* dated Saturday 7 May, which gives the local results by parliamentary constituency. It turns out that the Tory party is 8 per cent. behind in Aberdeen, South, 30 per cent. behind in Aberdeen, North, 26 per cent. behind in Aberdeen, Central, 47 per cent. behind in Banff and Buchan, 17 per cent. behind in Gordon, 30 per cent. behind in Moray and 16 per cent. behind in what would be the constituency of the hon. Member for Kincardine and Deeside (Mr. Kynoch)—Deeside and Howes. Is the hon. Gentleman as satisfied as his hon. Friend is with those results?

Mr. Kynoch: I hear what the hon. Gentleman says about the local election results, but what he does not take into account is the role of independents—[*Laughter.*] In my constituency the issues were significantly clouded—*[Interruption.]* However, I shall not embark on that argument, because I know that the hon. Gentleman is engaged in a battle with his Opposition colleagues in the Labour party over what the result of the Euro-election in the north-east of Scotland will be. However, I can tell him that his figures are totally wrong; if he considers the general election results he will realise that the Conservatives will win with a majority of 20,000.

Before I am ordered to do so, I shall now return to the Bill. I was talking about confusion between the two tiers of local government, especially on planning. In my constituency, the picture for long-term and strategic planning is at present one of great confusion. There is talk in Grampian of a proposed new settlement. Kincardine and Deeside had already thrown out the idea at district level, but Grampian region initially decided to approve a new settlement in my constituency. Confusion existed while the proposal ping-ponged backwards and forwards between the region and the district. Finally, it was thrown out by the previous administration in the region, much to the annoyance of the Labour convenor.

The issue will not go away. While we have a district council and a regional council that can take totally opposing views there will be total confusion, and that does not serve the best interests of the local community, nor the future of the area.

As the Secretary of State said, we have had a long period of debate on the local government reform. I had forgotten that it was as many as three years ago that my right hon. Friend introduced his first consultation document. I remember that in the run-up to the general election a major part of my campaign was the fact that we regarded the reform as a key piece of legislation for the future, so that we could get rid of the two tiers and consolidate them into one, so that local government would be better and more effective.

Throughout the consultation period, my right hon. Friend has listened effectively. I especially commend him and his Ministers for the amount of listening that they did in Committee. My right hon. Friend knows that some of us were concerned about various issues, whether those were minor details concerning boundaries or the need to look

[Mr. Kynoch]

after the interests of the rural communities with regard to water services. On all those issues my right hon. Friend has listened and has moved. He commended his ministerial team; may I add to that my commendation of the long-suffering Whip, the Lords Commissioner to the Treasury, my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope).

Having sat through 177½ hours of debate in Committee, listening to debates such as the one about the word "reasonably", which lasted three hours, at one time I questioned whether the Opposition were opposing or simply trying to obstruct. However, I know that they were in order because the Chairman kept them in order. I take my hat off to, and commend, both the management and the chairmanship of the Committee. Because the Committee stage was allowed to run for its full 177½ hours, the Opposition were left with no excuse for saying that their concerns and worries had not been fully aired.

Yet the Opposition continue to peddle their lies about water—[HON. MEMBERS: "Oh."] They continue to peddle their distortions about water. They are still arguing that the Government are intent on doing something that the Government do not intend to do. Typical of their behaviour throughout has been the fact that they cannot oppose in a constructive manner. I have not heard them make constructive proposals on any issue.

Throughout our proceedings, the Opposition seemed intent on arguing the case for looking after local government employees' jobs. I commend them for that, because in any reorganisation, whether in business or in local government, one must ensure that the transition from one structure to another is made in an orderly fashion so as to safeguard the rights and the best interests of employees. Unfortunately, change is sometimes necessary. To obstruct on the sole basis that jobs will be lost is totally unconstructive in terms of looking after the interests of the people whom we are here to represent—the people of Scotland, the ratepayers and the taxpayers of Scotland.

Mr. Connarty: Is the hon. Gentleman really trying to sell to this House a package saying that all the people who wrote in and whom the Opposition represented—all the lobbying organisations such as Enable and Relate, and all the people who wrote in about special education, about the destruction of children's panels, and about many other issues—were trying to be obstructive? Will he not give credit where credit is due? A case was put for many people in Scotland who do not want the Bill, yet the hon. Gentleman and his right hon. and hon. Friends ignored them.

Mr. Kynoch: I hear what the hon. Gentleman says, and I recognise that the Opposition put forward cases on behalf of organisations such as Enable, on behalf of children, on behalf of children's panels, and so on. However, the Opposition have not accepted that within the Bill as drafted my right hon. Friend and his Ministers have allowed the flexibility for the new councils to provide the services in the best possible way for their constituents.

The hon. Member for Falkirk, East (Mr. Connarty) does not accept that what may be a good structure in the central belt is not necessarily the best structure in the north-east of Scotland. I commend my right hon. Friend's proposal for the north-east, which is now clear in the Bill. The Bill will give us a single-tier authority big enough to provide the services in the area, and big enough to command the highly qualified staff that will be required to deliver those services, but one which will, at the same time, be able to decentralise to provide local services.

Mr. Jimmy Wray (Glasgow, Provan): Will the hon. Gentleman retract his statement that the Opposition lied? We have made it clear that where water is concerned there are no ifs, no buts and no whats. We do not want privatisation; we do not want franchising; we do not want quangos.

Mr. Kynoch: What I said about the Opposition's attitude to water relates clearly to the fact that the Secretary of State has said many times—as have the Parliamentary Under-Secretaries of State for Scotland, my hon. Friends the Members for Dumfries (Sir H. Monro) and for Eastwood (Mr. Stewart) in Committee—that water privatisation is not on the agenda. My hon. Friend the Member for Eastwood said that Scottish Water would not be privatised by the front door, by the back door or by any other door. That fact has been stated on innumerable occasions, yet the Opposition still distort it, and the people of Scotland do not know what to believe.

I argued strongly—and the hon. Member for Hamilton has accepted the argument—that the provisions in clause 79 concerning disconnections have made it virtually impossible to privatise Scottish Water. The prospect is not on.

Mr. George Robertson: I did not say that it was virtually impossible to privatise water simply because the Government had included a provision with regard to disconnections; I said that it would make privatisation much more difficult. But the Government have never been prevented by such difficulties in the past, and they will not be prevented in the future either. During the election campaign, the Government promised that they would not extend the scope of value added tax, but they have now extended it to domestic fuel. Why should we believe their promises about water, any more than their promises about VAT?

Mr. Kynoch: If the hon. Gentleman had been present earlier this afternoon, he would have got a response to that: it was never referred to.

I shall draw my remarks to a close by saying that the Bill is nearing its completion in this House and, as my hon. Friend the Member for Aberdeen, South (Mr. Robertson) said, going on to another phase in another place. It is important that we encourage local authorities which thus far have not co-operated with the Government during the passage of the Bill to co-operate now in the interests of the people of Scotland.

In Grampian and the north-east of Scotland, the Association of District Councils in Grampian, under the current chairmanship of Councillor Doreen Ewing, convenor of Kincardine and Deeside district council, has already started talking in outline about the way forward under single-tier authorities, but it has been thwarted in taking the matter much further by the non-co-operation of Grampian regional council. I implore my right hon. Friend to do whatever he can to encourage the new administration in Grampian region to co-operate with his Department by providing the necessary information to enable it, in turn, to give the financial information back to the existing councillors in the area, thus enabling them to plan the way forward. It is in the best interests of the people of Scotland that the Bill should go forward as smoothly and as quickly as possible.

6.31 pm

Mr. James Wallace (Orkney and Shetland): First, I associate myself with the comments of the hon. Member for Hamilton (Mr. Robertson) in extending sympathy to the hon. Member for Dumfries (Sir H. Monro), the Under-Secretary of State, on his recent sad bereavement and I am sure that I speak on behalf of my right hon. and hon. Friends in doing so.

It seemed that the hon. Member for Kincardine and Deeside (Mr. Kynoch) was unable to answer the point made by the hon. Member for Hamilton that the Government completely deceived the electorate about their intentions on value added tax and extending the VAT base. The hon. Member for Kincardine and Deeside cannot now understand why the people of Scotland have difficulty believing what the Secretary of State said on water privatisation. The credibility of Tory Members and Ministers in Scotland is so low that if a Scottish Tory said that snow was white, most Scots would want to suspend judgment until next winter so as to check for themselves. That is the sort of loss of credibility that Tory Members have suffered, and they cannot complain if the people will not believe at first hand what they say.

The Bill is a thoroughly bad Bill. It is unwanted, it is ill thought out and it is anti-democratic. It is true that during its passage in Committee and on Report a number of boundary changes were made which my hon. Friends and I wished to see. We wished to see the restoration of Westhill to Aberdeenshire—we welcome the conversion of the hon. Member for Aberdeen, South (Mr. Robertson) to that move—the restoration of Berwickshire to its proper place in the Borders, the establishment of a separate council for Inverclyde, and the restoration of Ralston to Renfrewshire. Those changes are eloquent testimony to the power of Liberal Democrat success at the ballot box.

On this Bench, however, the test never was and never would be the niceties of boundary lines. Placing Westhill in Aberdeen city or in Aberdeenshire matters little if neither authority has power to deal effectively with local issues affecting the area. The real test is whether the Bill will strengthen and improve the quality of local democracy and by that test it fails miserably.

The Bill is unwanted because there is no real democratic mandate for it. On occasions when Tory Members have quoted—as they have done today—from the manifestos of the Scottish Opposition parties citing support for single-tier local government throughout Scotland, they have conveniently ignored the context of a home rule Parliament in which those commitments were made. Indeed, the exclusively Scottish issue of Scottish local government should be determined in a Scottish Parliament.

Nor can the results of the local elections on 5 May be taken as an endorsement of the provisions of the Bill. Even in Aberdeen, the Tory party came in fourth place with only 16.4 per cent. of the vote. If that is the kind of result that the hon. Member for Aberdeen, South regards as a ringing endorsement of the Government's proposals, I hope that it will be repeated at the next general election.

Mr. Kynoch: I thank the hon. Gentleman for giving way on that point. Perhaps he will point out to his friends on the Labour Benches that the Labour party actually lost four seats in Aberdeen city.

Mr. Wallace: I am happy to take the opportunity to say that the Liberal Democrats did well in Aberdeen city. Among the issues on which our campaign was based were the Government's proposals for local government and for the future of water and sewerage services, so the Conservative failure at the ballot box shows what the people really think of the proposals.

In Grampian region, the number of Tory councillors is now down to single figures in a region which their party controlled for eight years, and there is not one Tory councillor left in Fife, where the Tory party is even in a worse position than the Communist party even though it got 10 per cent. of the vote. Perhaps if Tory Members want to join us in campaigning for proportional representation—that is not a feature of the Bill, which shows once again that the Bill is undemocratic—we would certainly welcome their conversion.

The water and sewerage provisions in the Bill are unwanted. People know that the issue is about quangos. Certainly, my experience during the local elections in different parts of Scotland showed that the people clearly understood what the issue was about—it was about taking responsibility out of the hands of elected councillors and putting it into the hands of placemen and placewomen. A vital service which has been in municipal hands for many years is disappearing out of the hands of those with elected responsibility. Having travelled throughout Scotland, I cannot claim to have been deafened by any clamour to pass the Bill today.

The Bill is also ill thought out. My hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) served diligently on the Committee on behalf of my party's interests. On many occasions, I found him in his office suffering from frustration and disbelief at how ill equipped Ministers had been to respond to detailed probing on various aspects of the Bill, not only in response to partisan points that were being made, but on matters of substance relating to the delivery of important services. I recall one evening going to watch the proceedings of the Committee from the public benches and seeing the Under-Secretary of State stand up and, in response to a question or an intervention from the hon. Member for Hamilton, contradict a Government amendment that he had just moved. I accept that one can make mistakes late at night, but the thing that really worried me was that the Under-Secretary of State did not realise that there was a contradiction, which shows how little understanding Ministers have of what they are trying to do in the Bill.

Today, we heard the Secretary of State say that joint boards would not confuse the electorate—we would all know that it was a responsibility of the councils. It is not so many years ago—it must be a number of years because the hon. Member for Devizes (Mr. Ancram) was the Member for Edinburgh, South and a Scottish Office Minister at the time—that I went to see the hon. Gentleman about a joint board for the police in the northern constabulary where, clearly, most of the members who came from Highland region were trying to make decisions which would adversely affect the Islands interests and

[Mr. Wallace]

where the locally elected councillors for the Islands had only limited powers. Joint boards will cause confusion—that has been underestimated by the Secretary of State.

Hon. Members who were in the House last Tuesday will recall the hon. Members for Midlothian (Mr. Clarke) and for Linlithgow (Mr. Dalyell) asking about the consequences of water no longer being pumped from disused mines. Not only did the Secretary of State seem to have difficulty answering the question; he appeared unaware that it was even a problem. There are a number of such issues on which I am sure that there will be problems when the Bill is enacted.

In the same debate, the Secretary of State was asked why there were only three authorities instead of four or five. We are still waiting for an answer. All that we get is a bold assertion that that is what it says in the Minister's brief. Unlike previous restructuring, this reform or restructuring of local government has not been preceded by an independent commission or detailed analysis; nor does it proceed on a generally consensual basis. That does not bode well for the Bill's implementation, because even with good will it is likely to drive down morale, especially among staff whose future employment and conditions are still in doubt.

Mr. Dalyell: It has done already.

Mr. Wallace: As the hon. Member for Linlithgow says, it has done so already.

Perhaps most important, the Bill is anti-democratic. The transfer of water and sewerage services from elected to non-elected hands is, beyond doubt, an undemocratic reform. To pile more than 180 measures on top of the 160 measures that have already been introduced by the Government to transfer power and responsibility from local to central Government is in itself fundamentally anti-democratic.

Conservative Members ought to be aware that the powers given to the Secretary of State by order could be used by a Secretary of State from another party. If an incoming Secretary of State for Scotland chose to use them to clear the placemen and placewomen out of the water authorities and replace them with elected councillors, he or she would have my full support.

Above all else, the Government have abused the language by saying that the Bill will be a shot in the arm for local democracy. It is an abuse of the English language because they are doing one thing and claiming that it is the opposite. Most important, they have not listened, learnt or changed, especially in the light of the Strathclyde referendum.

In a letter to the president of the Convention of Scottish Local Authorities on 22 December, the Prime Minister said of the measure, with particular reference to water:

> "The Bill will shortly begin its parliamentary scrutiny. That will provide the opportunity for both principle and detail to be publicly debated and at the end of the day Parliament will decide what is to become law. That is the right approach and one which allows Scottish opinion to be given expression through Members of Parliament."

It is evident that Scottish opinion has not been given such expression.

The most significant contribution to our discussions last week came from the hon. Member for Linlithgow, who said during our debate on water:

> "The issue will become the attitude of people in Scotland towards the Union. Because of political history I, of all people, am empowered to tell him"—

the Secretary of State—

> "that if he goes ahead he must not start lamenting when the Union turns sour."—[*Official Report*, 17 May 1994; Vol.243, c. 725.]

Neither I nor my party want Scotland to go down a costly road to independence, but we should reflect on the fact that the threat to the Union in this century did not come from the parties of home rule but from intransigent Unionists—and that is still the case today. When the then Prime Minister, Mr. Asquith, moved the Government of Ireland Bill in 1912, he said:

> "We are content to delegate local matters to the different constituent units. However well we may transact . . . our common and Imperial affairs, we must perpetually bungle and mismanage the affairs of each unit. That, Sir, is what Home Rule, as we understand it, and federation as we are going to pursue it, means for the people of this country."—[*Official Report*, 9 May 1912; Vol.38, c. 700.]

This Bill is today's monument to Westminster's continuing bungled and mismanaged government of Scotland.

6.41 pm

Mr. Bill Walker (Tayside, North): I shall not speak at great length, but that does not mean that I do not have strong views on a number of matters.

First, we should recognise that much consultation has taken place. In Committee, many hours were spent reviewing the Bill and considering its detail, so no one can say that the House did not give it adequate consideration.

I am concerned because the Bill is important and has massive constitutional implications. The attitude that the Labour party demonstrated throughout the Committee stage can only be described as humbug. Labour Members want to establish a Scottish Parliament, or whatever it is to be called; I should have thought that they would agree that the measures contained in the Bill would make it easier for an incoming Government to do just that. That is certainly true of all the powers given to non-elected bodies, which could easily be transferred to an incoming Scottish Parliament.

I was concerned from the outset, but not because I am opposed to the principle, as I support single-tier unitary authorities. I know that in Tayside, Perth and Kinross, Angus and also Dundee people are happy to have such authorities. I shall not speak for other areas, but I can speak about those with some authority. We were also satisfied that the arguments on boundaries were listened to and acted upon. There is therefore no doubt that anyone who is genuinely interested in the well-being or future good government of Scotland would recognise that the principle of single-tier unitary authorities was accepted by all. One runs into problems over matters that have to be dealt with outside the smaller, new unitary authorities. They quite properly caused considerable debate. There is no doubt that some of the debate was motivated by concern about job preservation, but much was motivated by concern about the provision of services and the Committee had to deal with that.

Because of the circumstances in which the Bill came about and the pledges given before the general election, I believed that the Government would produce a Bill which —one hopes—will become an Act and establish unitary authorities. The Government will have delivered their pledge.

I hope that when we reach saner times we shall reconsider how we deliver services and make the people delivering them accountable. If we do not do so, we shall provide the very set-up that an incoming Labour Administration would welcome, if Labour ever get elected —I am not one of those who think that the next general election is lost—

Mr. Jimmy Hood (Clydesdale): Or won.

Mr. Walker: Or won, but I am concerned with losing it. I hope that the hon. Gentleman will understand that.

The recent election results were serious and ought not to be ignored. Anyone who thinks that they can take a flippant view of the results is not being realistic. I remind Opposition Members, however, that I have listened for many years to them telling me that an incoming Labour Government would do such and such, but such a Government never came to pass. I have also listened to the views of separatists, but their predictions have not come to pass either.

One thing that the hon. Member for Linlithgow (Mr. Dalyell) and I probably agree on is that the structures created by the Bill have constitutional implications. My party should consider that and deal with those implications before it is too late.

6.46 pm

Mr. Andrew Welsh (Angus, East): The hon. Member for Tayside, North (Mr. Walker) seemed to believe that the Bill, if it is enacted, would make it easier to create a Scottish Parliament. Whether that is true or not, it is no excuse for dismantling Scottish local government services and every system in such a desultory and unsatisfactory way.

It is inevitable that, after all the talk today, the Government will produce their majority and the Bill will be hammered through, as it was hammered through in Committee with 102 defeats for Scotland. It will pass into law against the wishes of the Scottish people. There is no wish for this change in Scotland. There is a wish for a consensus view and a well-thought-out change in local government that will last well into the 21st century and not merely 20 years, as the last change has done. The Government have not produced such a change, and we are witnessing a wasted opportunity.

The Bill has no consensus, except perhaps against it —it is not even perhaps; it has a consensus against it. Because of that and its relationship with the Tory party it will not last.

Mr. Stewart: Is the hon. Gentleman saying that his district council, which is SNP-controlled, is against the proposal for a single-tier Angus?

Mr. Welsh: Had there been proper consultation, or consultation similar to that undertaken by Wheatley—or an ounce of the thought that he and his commission put into the matter—we would have had a chance of a proper local government system that would be agreed.

The Minister mentioned Angus district council. The district is a good size and will make an excellent council. One hopes that it will continue to be controlled by the Scottish National party and to be one of the best run in the country. That is no excuse, however, for destroying the system in the way that the Government have done, without consulting the people. It is certainly no excuse for stealing Scotland's water assets, which is totally against the wishes of the people in the way that they have done.

After all the talk in Committee and on Report, the Bill is basically unchanged, apart from some boundary changes. It is as the Government always wanted it to be, but as the Scottish people did not. Concessions such as retaining the title of firemaster are no consolation for the loss of services and the attack on Scottish local government contained in this atrocious and unacceptable Bill.

These are Tory changes which are inextricably linked with the Conservative party. They have been made by and for the political convenience of the Conservative party. It is a Tory measure from start to finish, and it will be seen as such. It simply will not stand the test of the future.

There is no popular support for moving from a service-providing local government system to that of mere enabling authorities. The opposite is true. The Scottish people have already shown that they wish water services to remain as a service provision by local authorities. There has been no real consultation, and it is ludicrous for the Secretary of State to pretend that there has. There has not, and the whole of Scotland knows it.

There has been no commission in Scotland to take a proper look at the situation. All we have had is the imposition of the Government's own views. Certainly there has been no consensus, except in creating outright opposition both at local elections and general elections against the Government and the proposals. The Bill is basically an ill-thought-out botch-up. The boundaries it proposes defy analysis. They are not based on Wheatley's city regions, and they are not based on the old counties.

Can the Minister explain how it happened? We certainly did not hear any rational analysis from the Secretary of State of the basis on which the Government approached the boundary changes. They vary in size from the Highlands—geographically the same size as Wales—to tiny Clackmannan. There is apparently no rhyme or reason to the decisions.

The Government are simply tacking and changing for short-term gain without any overall principle apart from their own party political self-interest. The end product has been not a simplified unitary system at all, but a more complex multi-tiered, various-sized, central-Government-dominated set-up. The Government cannot hide from their responsibility for creating this mess of a Bill.

The rushed timetable was self-inflicted; the Government chose to rush the measure through—nobody else. The motivation of the Treasury rules was also self-inflicted, as was the massive fiscal deficit which overshadows everything else, and the previous lack of investment in water and sewerage services. On all counts, Scottish local government is being made to pay for the Government's past policy mistakes.

The Government—and no one else—are to blame for the failure to provide statutory directors of education and social work committees.

Mr. Gallie: The hon. Gentleman has just blamed the Government for the failure to maintain and provide reasonable water and sewerage systems in Scotland. Have not water and sewerage been under the control of local authorities since the turn of the century? Surely theirs is the failure, and the Government are trying to address that.

Mr. Welsh: The hon. Member clearly does not know anything about capital consents. Local government has a superb record of supplying quality services at low cost to the Scottish people. They understand that, and have asked the local authorities to continue. The hon. Gentleman is throwing democracy to one side and denying the 1.2 million people in Strathclyde who have said no to the changes which his Government are forcing, through thanks to the nature of this Parliament and the Union. We will see that tonight when the votes are counted.

The refusal to have statutory directors of education and social work, statutory social work committees and directors of social work is simply a continued attack on the poor and vulnerable in Scotland, and that should not be happening.

I must say also that the people who brought us the poll tax and who are taking water services out of Scotland have rejected seat belts in school buses. I have never heard before of somebody writing a third suicide note, but the Government have just done so.

The Bill would allow the barbarity of warrant sales to be inflicted for water debts, and advocates three-year, short-term electoral cycles.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): Any council in Scotland can impose within its contracts with school buses conditions and stipulations which make it absolutely clear that seat belts can be made mandatory. The hon. Gentleman is totally misleading the House on that point.

Mr. Welsh: I do not think I am. Any council can do that, and Tayside has just done it under the Scottish National party. The point is that the Government could have made sure that every council had those powers, by putting the matter on the face of the Bill. The Minister has abdicated his responsibility. He could have put the matter on the face of the Bill.

Lord James Douglas-Hamilton: A council does have powers to put that in its contracts and, if it wishes, it is strongly encouraged to do so. We acknowledge that there has been public pressure for councils to do just that.

Mr. Welsh: When the Government want to make sure of something, they put powers into the Bill, and this Bill is full of Secretary of State's powers. Why did not the Government make sure in this case? They would have had popular support, and support from both sides of the House. When the Government want to abdicate their responsibilities, they run the other way. There can be no excuses. The Government turned down an amendment that would have made sure that seat belts were installed in school buses. The Government made a mistake in not doing so.

The Bill reduces Scotland's elected representatives to the lowest proportion per head in the whole of western Europe, and replaces them with more placemen and women, hand-picked by the Tories in quangos such as the three giant water boards. So much for decentralisation. The Government create three unelected and unaccountable giant quangos and destroy elected, democratic and accountable local authorities.

The Bill multiplies centralised power and, while the Government talk about subsidiarity at a European level, they centralise power from local government in Scotland. The water services proposals are plainly wrong, unfair and undemocratic. There has been no attempt whatsoever to tackle the problems involved. Debt interest payments will continue to cost more each year than water service provision.

There is no green dowry in sight, so what was good enough for England will not be good enough for Scotland. Scottish taxpayers who have found that their money has been used to sweeten privatisation in England will not find a similar deal in Scotland from the Government.

Mr. Kynoch: The hon. Gentleman is talking as if water is being privatised. There is nothing to give a dowry on, as water is still in the public sector.

Mr. Welsh: I know that hon. Members want to speak, so I shall be as fast as I can. The hon. Member for Kincardine and Deeside (Mr. Kynoch) and his Front-Bench Members have repeated promises tonight. I remind him that, in 1984, Neil Macfarlane, then Under-Secretary of State for the Environment, said:

> "We have absolutely no intention of privatising the water industry. The Government have no plans to urge that upon the water authorities. There has been some press speculation about it in the past, but there is no intention to do so."—[*Official Report*, 19 December 1984; Vol. 70, c. 457.]

Two years later, another Minister—the right hon. Member for Mole Valley (Mr. Baker) the then Secretary of State for the Environment, said:

> "In the last six years we have made the water authorities fit and ready to join the private sector . . .
>
> Privatisation is the next logical step."—[*Official Report*, 5 February 1986; Vol. 91, c. 288.]

We have heard all those promises before, and they were broken. Why should we trust the Government any more now than when they made the promises in the past?

The only rational conclusion must be that any future investments in water services will be paid for by vastly higher water charges imposed by the three unelected, unaccountable quangos, which will meet in private.

The Bill is a charter for the Government to steal Scotland's massive water resources prior to privatisation. The Secretary of State for Scotland is our very own Ceaucescu. When 97 per cent. of voters do not want the changes, he just ignores them. No doubt he would equally ignore them if 100 per cent. of Scots were opposed to the plans.

The right hon. Gentleman takes a sort of President Marcos approach to democracy—consult, then ignore. His own party has twigged what is going on. If the Secretary of State does not have the Scottish people on his side, at least he has England and the Union. We will find that out tonight when English Members who have not been present turn out and vote the measure through, against the clear wishes of the Scottish people.

The Tories cannot hide for ever,and they will eventually have to face the electorate again. This has been a shameful process in which an unwanted, unnecessary and ill-thought-out affront to Scotland is being forced upon our people. An opportunity to provide real democratic local government—the services which the Scottish people really want—has been thrown to one side by this dogmatic Government. They have a great deal to answer for, and answer they will.

6.59 pm

Mr. Phil Gallie (Ayr): It is a great pleasure to speak at the final stage of the Bill, before it goes to another place. I look forward to discussing it again once it returns, and hope that it will be a fairly swift return.

Having listened carefully to the words of my right hon. Friend the Secretary of State, I think that it is a great pity that he could not find a place on the Committee. It was dastardly of Opposition Members, recognising the requirement of the Secretary of State to represent Scotland's views at Cabinet level, deliberately to keep my right hon. Friend off the Committee. However, having seen how my right hon. Friend destroyed the arguments of the hon. Member for Hamilton (Mr. Robertson) before he rose to speak, I well understand why the Labour party did not want my right hon. Friend on the Committee.

We had many long and full debates in Committee. What emerged was that the Government had no intention of gerrymandering boundaries. It was up to individual Members to represent local views. Sadly, Opposition Members hung back on that and did not fight their corner, with the exception of the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who fought the battle for the Borders and won. He presented his arguments well, and persuaded the Minister to listen to sound and sustained argument. It is just a shame that Labour Members did not follow suit.

I have two reservations about the present boundaries. The first is in the Fife area. The hon. Member for Fife, Central (Mr. McLeish) used the word "crazy" in virtually every contribution he made. He defended the requirement for Fife to have a single-tier authority based on the region. I wonder at the wisdom of the Government in accepting that option. I hope that we do not live to regret making that decision.

The second issue on which I have slight regrets is the sound arguments by Clydesdale district for a single-tier authority based in that area. I am saddened that the hon. Member for Clydesdale (Mr. Hood), perhaps bludgeoned into submission by Opposition Front-Bench Members, did not defend the right of those in Clydesdale to achieve a single-tier local authority that would have been larger than the Clackmannan authority that has since been established.

There has been wide debate on a number of issues, including school transport. We heard about the concerns of parents throughout Scotland, and of the Catholic Church. Measures were taken to recognise the problems that would arise. The hon. Member for Angus, East (Mr. Welsh) suggested that the Government should have legislated to make local authorities fit seat belts in school buses. That is centralisation. Throughout the Bill's Committee stage, Opposition Members argued against centralisation. Are they now saying that, if the Government do not legislate, local authorities will not achieve? Surely the Government are right to give local authorities the responsibilities and powers, and let them get on with the job.

Mr. Welsh: Hon. Members on both sides of the House want seat belts fitted on minibuses. The Government defeated an amendment that would have ensured that seat belts were fitted on school buses. When the Government want something, they are quick to use that power, but they have not been willing to do so in this case. Individual local authorities have that power, and the SNP-controlled authority in Tayside has introduced seat belts. As in ordinary automobiles, one way to ensure that seat belts are fitted is to pass such an amendment.

Mr. Gallie: The amendment was illogical, as it concentrated on school buses. Local authorities use coaches for a range of options. The amendment dealt with school buses only in Scotland, whereas we should look at the position UK and Europewide. That is currently happening and, before long, legislation will probably be introduced to meet that requirement.

We heard many stories about children's panels, but little about the downside. I have attended the hearings of children's panels in my area and am acquainted with some of their requirements and problems. Much of the resentment arose from the fact that too great a clamp was put on them by social work directors.

Mr. Henry McLeish (Fife, Central): Rubbish.

Mr. Gallie: It is certainly not rubbish in Ayrshire; it is up to the hon. Gentleman to say whether it is rubbish in Fife. But that viewpoint came across to me when I attended the panels' area council in my constituency.

Water has been key area of controversy throughout our debates. I know that my hon. Friends were aware of Strathclyde's referendum, but were they aware of a report on water commissioned by Strathclyde regional council?

Sir William Halcrow was asked to examine the management of water structures and provision within Strathclyde. What have we heard about that? What were the findings? The report found that, if water was to remain in the public sector, it needed to mimic the commercial organisation of other management structures. For that matter, it needed to mimic the management structures of working arrangements set up in the privatised industries in England and Wales.

The electorate of Strathclyde heard not a dicky bird about that. The council went ahead with the referendum—

Mr. George Robertson: Will the hon. Gentleman give way?

Mr. Gallie: No, not for the moment. I am under some pressure to continue, because the hon. Member for Dundee, East (Mr. McAllion) wants to speak.

Strathclyde council held back the report from the electorate. Opposition Members shout about open government, but, when it comes to doing something practical about it when they are in government and have an opportunity to do so, they hide their findings because they do not suit their purpose.

Mr. George Robertson: Will the hon. Gentleman give way?

Mr. Gallie: No, I shall not give way.

Strathclyde council distorted the facts. It maintained the belief that water would be privatised, and got the result it wanted in the referendum.

Mr. George Robertson: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Gentleman to make assertions to the House that an elected local authority hid from its public the conclusions of a report, whereas that local authority had a press conference on that report? Is not the hon. Gentleman in danger of getting precious close to misleading the House?

Mr. Deputy Speaker (Mr. Michael Morris): Hon. Members are entirely responsible for what they say in the Chamber. It has nothing to do with the Chair, so long as their remarks do not impugn other hon. Members.

Mr. Gallie: I was quoting from the Scottish Sunday press. As Opposition Members always seem to believe

[Mr. Gallie]

everything they read in the newspapers, I may have been marginally gullible—*[Interruption.]* If the hon. Member for Hamilton is right.

At the weekend, I checked how many of the people who responded to the referendum had heard about the Halcrow report, and not one knew what I was talking about. The news of the report came as a complete surprise. Why did not Strathclyde council issue the information with the referendum? Why did it not give the facts? Opposition Members know the answer as well as I do—it was because it did not suit its purpose.

Mr. George Robertson: I am grateful to the hon. Gentleman for finally giving way. Will he tell the House that the Halcrow report said that the water industry was suffering from under-investment but that that was directly caused because capital consents to do so had not been given by central Government? If, as I have said, the Halcrow report was released and there was a press conference, what does it have to say about the assertions that the hon. Gentleman has just made?

Mr. Gallie: I recognise full well that central Government makes a lot of demands upon the national borrowing requirement. This country is already deep in debt. Public sector borrowing is excessive at the present time. It is better that cash is found from other sources. That is the intention of the Bill as far as water is concerned. I approve of that.

Drawing to a close—[Hon. Members: "Hear, hear."] Perhaps I will continue for a wee while longer. I refer to the words of the hon. Member for Hamilton a few minutes ago. He suggested that the Government were vandalising local government and tearing apart structures which had served Scotland well for 20 years. That is open to question. In my view, Strathclyde regional council never gelled or registered with a large part of the constituency.

If the hon. Member's view is to stand, I wonder how he will reflect upon this fact. As I understand it, Opposition Members opposed tooth and nail the setting up of the structures of which he now supposedly regrets the demise. I suggest to hon. Members that, in 50 years' time, people will look back and feel happy about their accountable and responsible local government units. They will be grateful to the Conservative party for insisting upon the reforms that it introduced in 1994.

7.11 pm

Mr. Jimmy Hood (Clydesdale): Obviously the hon. Member for Tayside, North (Mr. Walker) had a preview of the speech by the hon. Member for Ayr (Mr. Gallie). When he referred to humbug, he was obviously referring to the speech to come rather than those which had been made previously.

I heard a comment about the abuse of language. We have heard abuse of language by Government Members tonight when they have talked about democracy and accountability. The Bill will leave Scotland with 1,200 elected councillors and 5,000 people on quangos—and they talk about democracy and accountability! That is certainly an abuse of language.

The hon. Member for Ayr briefly mentioned the boundary question. I think it is a bit of a nonsense, and that is where the hon. Member for Eastwood (Mr. Stewart) did himself and the country a great disservice. Quite frankly, the Bill cannot be taken seriously by anyone who knows anything about local government. It is all about politics and gerrymandering. From day one it was about politics and gerrymandering, as it has been throughout all its stages. When it finally becomes an Act, it will be the most political, gerrymandered Act ever to go through this place. That is a fact.

I know that we are pressed for time in the debate and I have one or two other comments to make, but I have to mention the hon. Gentleman's comments about seat belts in school buses. I did not intervene in the speech of the hon. Member for Ayr because I thought that he was taking too much time and I did not want to give him another opportunity to speak more humbug about the problem.

The hon. Gentleman obviously does not understand the problem. I listened to the Minister's intervention as well and, if that was the sum total of his assumptions about the problem, he does not have a clue. I was not of that view until I heard the interventions in the speech of the hon. Member for Angus, East (Mr. Welsh).

The hon. Member for Ayr referred to allowing local authorities to spend money and agree to it in a contract. But the issue is about protecting every child in Scotland when he or she is travelling to and from school. It is not about leaving it to discretion. That is the argument.

I deliberately tabled an amendment to an education clause in the Bill because it is not a transport question which is separate from the real problem. I wanted to address the problem of getting our children to and from school safely. To do that, one has to accept that it is a problem for education.

When I moved my amendment I said that, as we make it a legal obligation under education law for parents to send their children to school, why can we not protect those children in transporting them to and from school? When it comes to a question of safety and making seat belts compulsory, the Government run behind the Commission and say that they cannot do anything because of European Community law. When I moved my amendment, I quoted the Commissioner who said that, as a member state of the European Union, we have powers within our own sovereignty—we have heard quite a lot about that—to protect our children with seat belts in school buses. That is why I moved the amendment.

It is no good Conservative Members, who trooped through the lobbies last week to vote down the amendment, looking for excuses. It was a disgrace. It was an opportunity for us to take a lead in this area. I cannot accept what the Minister said from the Dispatch Box last week about it being a United Kingdom problem. It was not a UK problem when Scotland got the poll tax a year before England and Wales. It was not a UK problem when the Government, thankfully, conceded and made it illegal to cut off water supplies. That was different from what happened in England as well.

We had an opportunity—and the Minister knows it—to pass an amendment to the Bill which would have made it compulsory to protect children while they were travelling to and from school. Tragically, the Minister ran away from it. When the Department of Transport releases its report, we will see that it is full of excuses to do nothing. That is all we will hear. The Minister can intervene if I have said anything that he wants to correct, but I am sure that he does not want to do so.

On the question of tourism, the Government have taken a nonsensical decision to amalgamate the Clyde Valley tourist board with the City of Glasgow. How can the Government say seriously that it is in the best interests of tourism to amalgamate a city culture with a rural culture and try to address the problems of both? They are different cultures with their own interests to serve. Amalgamating the two will create great problems.

Government Members have done their party no favours, but I am not here to advise them about how to represent their party better. The hon. Member for Ayr said that the Conservatives in Scotland have listened to the people. What about the 86 per cent. who voted against the privatisation of water? That is why we put down our amendments: to stop privatisation. We are the listening party. If the Government can be admired for anything—I cannot think of anything off the top of my head to admire them for—it is for their gall. If that is not gall, I do not know what is.

If this is a new listening party, it should accept that more than 80 per cent. of people are against the privatisation of water—and I suggest that the figure is higher than that. I also remind it that more than 90 per cent. of the people want a Scottish Parliament. It has not listened to that for the past eight or nine years. These questions must be addressed.

The hon. Gentleman should not try to kid us by saying that the Government are listening. They are not listening. They are not considering in any way the true interests of the Scottish people, and they will have to account for it at the ballot box.

7.18 pm

Mr. Ian Davidson (Glasgow, Govan): I note with some regret that the hon. Members for Blackpool, North (Mr. Elletson), for Stroud (Mr. Knapman) and for Hexham (Mr. Atkinson) have not deigned to grace us with their presence during the debate. They formed the Government's majority in Committee. Without them, the Government would not have put through the vast majority of the motions that they carried in Committee. Their interest in Scottish local government is so considerable that they have not bothered to turn up for the debate today. That illustrates the way in which the Government have proceeded on the Bill. They have not bothered to listen to the views of the Scottish people or of the majority of their elected representatives. They have been prepared ruthlessly to use a majority to ram through policies that were ill considered, badly thought out and designed simply to promote partisan advantage.

I wish to mention one aspect of local government that was inadequately touched on earlier.

Mr. Salmond *rose—*

Mr. Davidson: I want to proceed because I know that a number of other hon. Members want to speak.

At present, local authority councillors are overworked and grossly underpaid for the valuable work that they undertake on behalf of the community. The position will worsen as a result of the changes that the Government are introducing, because they intend to reduce the total number of councillors in Scotland.

It is not enough to say that everyone who does the job of a councillor is a volunteer. Those men and women take on an important social role on behalf of their communities. They suffer mightily as a result, in financial and in family terms, and they are inadequately resourced for it. I believe that the Government should take the opportunity to announce that they intend adequately to resource the payment to elected councillors as part of the introduction of any new local government system.

The burden that councillors will have to bear in the new authorities will be greater because, not only will they have to make policy decisions as they did in the past, but they will be in the front line when they are confronted by the public to explain why services are being reduced at a time of increased need and decreased provision. They will have to carry the burden of the decisions which we make here, and which, from the Scottish side, the vast majority are forced to make against their will.

The present local government finance system results in councillors who are unemployed being virtually unemployable, those who are in employment losing the opportunities for promotion and those who are in work losing money as a result of broken time payments and losing pension payments for the future. None of that is adequately taken into account. The Government should make adequate recompense to councillors. No one becomes a local councillor for the money, but that is no reason why councillors should be penalised financially in the way that they are.

I enjoyed the Secretary of State's well-presented, witty speech. It was the House of Commons as vaudeville—as theatre. However, we should not allow the style of the Secretary of State's delivery to mask the content. The content was every bit as ruthless as that of any speech from the Government throughout the discussion of Scottish local government. It is a clear attempt to gerrymander the local government map. It is a corrupt and dishonest set of proposals, deliberately designed for partisan advantage.

My colleagues and I have a responsibility to the Scottish public to continue to repeat that not only were the measures drawn up in a fundamentally flawed way, but their motivation is alien to the public spirit that has operated throughout Scotland for many years. Although we have had disagreements in the past, I do not believe that such a nakedly corrupt set of measures has ever issued from a Government. The measures are motivated by malice against local government by the Government, deliberately designed to destroy what they have found it impossible to control. As they cannot win elections, they have decided that they want to emasculate local government. They want to give the powers and responsibilities to their appointees —their chums, their golf partners, their acquaintances, their relations—in a way that the vast majority of the Scottish public reject.

We on the Opposition Benches are united in opposition. Although there are nuances of difference between the Liberals, the nationalists and Labour Members, we have been united on the major issues. It is important to recognise that, with Scottish public opinion behind us, we stopped the privatisation of water and ensured that the Government introduced a measure to stop water disconnections. Nevertheless, I believe, and the majority of Scottish people believe, that, given a chance, the Government will privatise water at the earliest opportunity. It will be the responsibility of elected representatives in the House and in Scotland to ensure that the pressure is kept on the Government; to ensure that they are not allowed to go down the franchising route, which is a step on the road to privatisation. The Scottish people do not believe the

[Mr. Davidson]

Government when they say that they have no intention now to privatise. They think that, given half a chance, the Government would do it in a flash.

I regret that we did not stop more of the Government's proposals. The costs of reorganisation will come out of services. That will result in worse provision for the people in need of those services. It will result in job losses. I do not simply mourn those job losses because of the disruption to the people involved; I regret them because they will result in dereliction of the duty of local government to provide first-class services. We are having dislocation and disruption which is unwanted and entirely unnecessary. The Government will pay a price for their naked exercise of power—as they have paid a price for it —in the ballot box.

The Secretary of State's speech was not an effort to persuade; it was simply a reiteration of Government policy, delivered tongue in cheek on many occasions with a wee joke and a smile, as if to say that he knew that he would win the vote at the end of the day and did not need to bother taking seriously anything that was said by anyone else.

The dive in the Conservatives' share of the vote in the regional elections to less than 14 per cent. causes us to worry for the future of democracy in Scotland. I was on Strathclyde regional council for several years. I notice, with some regret, that the Conservatives are now down to three out of 103 elected representatives on that council. When I joined, the Conservatives had about two dozen. In such circumstances, a real political debate is possible. I recognise that the Conservatives represent a political current in Scotland and that their views need to be adequately discussed and expressed. However, the viciousness and the extremities of dogma that they are pursuing have driven the Conservatives' vote down.

We ought to consider what has happened in previous Euro-elections, as similar elections are about to take place. In 1979, the Conservatives won five of the eight seats in Scotland. In 1984, they went down to two. In 1989, they went down to none at all and now no one seriously believes that the Conservatives have any prospect of winning a seat in Scotland at the coming elections. I do not believe that, if the Tories thought that they had any prospect of winning Euro-seats in Scotland, they would have proceeded with the local government reorganisation. They have given up, and the way in which they are prepared ruthlessly to use an English majority to ride roughshod over the views of the people of Scotland bodes ill for Scottish democracy.

I hope that the Bill continues to be fought in Scotland. I hope that it is fought in the Lords, even though I want that place to be abolished. The Government should suffer for what they are doing to Scotland tonight.

7.27 pm

Mr. Tam Dalyell (Linlithgow): I shall ask four succinct questions.

First, on a relatively minor matter, what will be said in the Lords as to whether South Queensferry is to be in West Lothian or in Edinburgh? Will there be a Government amendment?

Secondly, will the Government place in the Library of the House of Lords their view on the background to the figures with which they challenged the Convention of Scottish Local Authorities? They owe it to COSLA, to David Chynoweth, to Albert Tait and to many other people who are non-political but extremely professionally capable, to show where, according to the Government, they have gone wrong in the COSLA calculations. That information ought to be put into the Lords Library; it is the honourable thing to do.

Thirdly, will the Government place in the Library of the House of Lords a statement of their thinking on the very real problem of strategic planning? This matter is central to areas such as West Lothian, where there is overlapping development. Surely some thought has gone into that.

Fourthly, the Government owe it to us to deposit in the Library of the House of Lords a statement of their thinking on the future of specialist services, especially in relation to social work. For example, as we learned time and again in Committee, many services for the vulnerable can be provided only on a very large scale. If the Bill reaches the statute book, people will very soon be asking where Lothian and Strathclyde are. Much of the help provided by specialist authorities has been taken for granted.

It is the poll tax all over again. We shall see what happens next year, when, I understand from the Government Chief Whip, there will be endless orders—orders on Norfolk, on Somerset, and so on. We shall have all the problems of the English local authorities. It seems to me that once again we in Scotland are the guinea pigs. I think of the memorable words of Enoch Powell: this arrangement has the smell of death about it.

Although I do not want to repeat a point that was made by the hon. Member for Tayside, North (Mr. Walker), I must say to the Secretary of State that I do not believe that it was his intention, by dismantling the structures in Strathclyde and Lothian in particular, to produce solutions very different from those that he might favour for the future of Scotland. But when that happens, let it be on his own head.

7.31 pm

Mr. Thomas Graham (Renfrew, West and Inverclyde): As many other hon. Members want to take part in the debate, I do not intend to take up much time. I want to concentrate on a number of issues that the Bill does not address at all.

What is to happen to consumer and trading standards in Strathclyde? We have one of the best consumer groups in the country. Strathclyde's consumer and trading standards department is one of the country's largest and most effective. Last year alone, it dealt with more than 250,000 inquiries. How will the new authorities maintain this capability? The size of the Strathclyde region provides economies of scale that give the consumer and trading standards department unparalleled clout as a consumer watchdog. Without the benefits of size and the corresponding strategic role, it is unlikely that the department's success will be maintained by 12 smaller authorities. Last year, the department helped consumers to recover almost £2 million from unscrupulous traders.

There are 15 money advice centres throughout the region. These provide advice and support for people struggling with debt. The department deals with £1 million of consumer debt each year. Its specialist car fraud unit is unique. That unit is currently investigating 1,300 cases involving alleged car clockers, thereby ensuring value for car buyers, as well as protection for legitimate second-hand car dealers. It is estimated that such fraud costs Strathclyde consumers more than £10 million a year. What is to happen in that area?

Blindcraft—the largest sheltered workshop in Europe—employs 134 blind and disabled people, as well as 87 support staff, and has an annual turnover approaching £4 million. Let us bear in mind what was done to the disabled last week. Once again, that lot opposite will bin them right on to the dole. Strathclyde region gives Blindcraft a subsidy of £1.8 million a year, without which the factory could not survive. In addition, the region is the biggest purchaser of Blindcraft merchandise, buying £2.6 million-worth—more than 50 per cent. of the factory's products—every year. How will Blindcraft survive if Strathclyde goes?

Another vital area that the Bill ignores—one about which I am concerned—is the work of the regional chemist, who is responsible for analysing food, water, consumer products, sewage and industrial waste and for examining other environmental situations. It would be very difficult to split the regional chemist's functions into 12 parts. The specialist equipment and experience could not be supported by smaller authorities. Strathclyde's laboratory—purpose-built recently at a cost of £4 million—is one of only four such laboratories in Scotland, and it is twice as large as all the others combined. On average, the department tests 75,000 samples a year. Apart from the analytical work, a team of trained scientists is on standby to deal with chemical and related emergency incidents. It is estimated that it would cost the 12 smaller authorities an extra £8 million to maintain the current level of service.

Like almost all other Opposition Members, I believe that the Government have got it wrong. What is being done is vindictive. It is disgraceful to dismantle a system that has been working. I am convinced that the smaller authorities will not be able to deliver services of the excellence that has been known in Scotland. It is a disgrace that one of the most successful authorities ever seen in Britain—the one in Strathclyde—is being dismantled. Other hon. Members will be able to speak with authority about the areas that they represent. The one about which I am most concerned is Strathclyde, on whose authority I served with my hon. Friend the Member for Glasgow, Govan (Mr. Davidson). There, I was aware of the provision of excellent services and of the commitment not just of councillors but of officers.

What the Government are doing will be of no help to the elderly, the unemployed, the disabled or industrial concerns. How do they think it will help the people of Scotland? Why do they think we need it? I do not know, and I do not believe that the Government have the answer. Perhaps the number of Tory supporters in work will be increased. Quangos will be stuffed with Tory failed business men making a few bucks at the expense of the many people thrown on to the dole. It is quite clear that, as a result of this measure, many local authority workers will lose their jobs, even though the services that they have been providing will continue to be needed.

We have heard a great deal about water. In this respect, the people of Scotland overwhelmingly reject what the Government are doing. There is no question about that. The Strathclyde referendum should have been a warning to the Government to stop, listen to the people, think and review. They have not done that. They are still blundering along the road. They are still talking about quangos and about appointing placemen to try to run the water authorities. Scotland needs investment in sewerage and in water supplies. The cash should come from central Government. This is what we pay taxes for. People expect to be able to drink clear, fresh water, and they expect sewage to be treated. They do not expect rubbish to be dumped along the road, as is happening in Britain at present.

I want to make a lighthearted but none the less sincere comment. The Secretary of State and his cohorts are the Jack and Jill of Scottish politics, especially when it comes to water:

"Jack and Jill went up the hill
To fetch a pail of water;
Jack fell down and broke his crown,
And Jill came tumbling after."

Ministers should consider what they are giving to the people of Scotland—a crass and empty bucket. They are not providing anything to improve the quality of life or of water in Scotland. They are doing nothing to secure the delivery of services to the elderly and others badly in need or to youngsters at school. Tonight, we should be debating improvements for the people of Scotland, rather than something that will damage them.

7.38 pm

Mr. Michael Connarty (Falkirk, East): When my hon. Friend the Member for Glasgow, Govan (Mr. Davidson) mentioned English Members we were joined by a few. I thought that they were taking an interest in local government, but it is obvious from their chatter that the Tea Room is full and that they cannot find anywhere else to carry on their conversations. If the hon. Member for Ribble Valley (Mr. Evans) were to listen, he might find out something about the idiocy that the Government are trying to perpetrate in Scotland and might bring it to the attention of people in the Lancashire constituency that he currently represents.

I should like to make one positive comment before dealing with the substance of the Bill. It is gratifying that the Secretary of State amended schedule 13 to include the provisions of section 71 of the Race Relations Act 1976 to cover the quangos and other bodies that are being set up. It seems that people of all races in Scotland are to be equally abused by the Bill, without discrimination.

I do not mind ideology. But I have heard some distasteful Tory speeches tonight based on distortion. Those distortions will not sit well with the people of Scotland, who know that they are distortions. The Bill's main problem is that it is like an idiot's plan for local government. If one gave a child with no learning ability a set of building blocks on local government and asked him to put it together he might come up with something similar to what the Government have come up with. The Bill is a dislocated series of errors based on prejudices and boundary readjustments to suit the Tory party. It is a dog's breakfast—to use a good Scots phrase—but no dog would swallow it and nor will the people of Scotland.

We were told by my hon. Friend the Member for Linlithgow (Mr. Dalyell) that political advisers were involved in putting the Bill together. The Government should check whether those advisers were on their side, because the Bill is one of the most disastrous pieces of legislation for the Conservative party. The regional elections were only the beginning of the demise of the Tory party based on that piece of Government stupidity.

[Mr. Michael Connarty]

The Bill is like a jigsaw puzzle that someone buys at a car boot sale, only to find, on opening the box, that half the pieces are missing. We do not know what is to happen to special education or the concessionary fares system. We do not know where the water boards will get their money. We have heard hints that the £3 billion allocated over 15 years from the public sector borrowing requirement may be withdrawn. That should worry people as they do not know how much in water and sewerage charges will have to be paid by the consumer for capital works. We do not know how the joint boards and the loyalties of those who sit on them will work out. We do not know whether people will receive fair allocations across all parts of the joint board areas. Half the pieces of the jigsaw are missing, just as half the Ministers' logic was missing during every debate of our 179 hours of Committee.

Perhaps we should be thankful. In my first speech on the Bill, I said to the Government that if I wanted to be partisan I would encourage them to go ahead with the proposals, which would be disastrous for them. If the Government do not think that the regional council elections showed that I and other hon. Members who said similar things were correct, they must be living in a different political world from mine. Perhaps we should thank the Government for sacrificing their majority on the altar of their ideology. If the hon. Member for Aberdeen, South (Mr. Robertson) were a symbol of what the Government meant, he would symbolise a Spartan end, with Conservative Members standing until they were slaughtered one by one. We know that the Secretary of State will not be a Spartan; he will sneak off down south to join his friends in the Conservative party in England whom he is currently serving. I remember the glory days when he said what he would do for the revival of the Conservative party in Scotland. All I say to him is, "Keep it up Ian, keep it up."

The problem is that the people of Scotland will suffer because of the Government's ideology. They will suffer because the weak will not be cared for as local authorities care for them at present. The authorities will have to try to make up the resources as they will have lost between £365 million and £720 million because of this stupid exercise. The Secretary of State, Ministers and advisers were unable to answer the accusation of the Chartered Institute of Public Finance and Accountancy about the cost of this stupid Bill.

The most needy people—those in community care who are already suffering—will be cast out of national health service hospitals into private hospitals and nursing homes. Only the local authorities will stand between them and dire poverty. They will suffer, as will those young people who had a quality future ahead of them, which had been worked for by the regional authorities. They will find themselves in small authorities without resources. The quality of the future of those young people will be much reduced.

The people of Scotland will make the Conservative party pay dearly for the proposals—not the Conservative party in England. I do not mind the fact that the hon. Members for Blackpool, North (Mr. Elletson) and for Stroud (Mr. Knapman) are not present now, as they were in Committee. It was not the Conservatives from England who kept the Government's majority. As the majority of the Committee was reduced to one, it would have taken only one hon. Member—the hon. Member for Tayside, North (Mr. Walker)—to be honest with his conscience and stand with the people of Scotland instead of the Government. It would have taken the hon. Members for Ayr (Mr. Gallie), for Aberdeen, South or for Kincardine and Deeside (Mr. Kynoch)—just one of those Conservative Scottish Members—to cross the Floor. I do not believe the blandishments of the Scottish National party that it was the English who kept the majority—

Mr. Salmond: Will the hon. Gentleman give way?

Mr. Connarty: No, I shall not give way.

If just one of the Conservative Scottish Members had crossed the Floor, it would have given the people of Scotland the chance to break this poisoned chalice. Instead, those hon. Members forced the people of Scotland to drink from it. As a result, those hon. Members will lose their seats.

7.45 pm

Mr. John McAllion (Dundee, East): I shall be brief —I have to be as there are just five minutes remaining before the Front-Bench spokesmen start their speeches. In the short time available, I want to congratulate the Secretary of State for Scotland, not on anything that he has said today or done in relation to the Bill but on the fact that last Saturday he had the rare privilege of presenting the Scottish cup to Dundee United when the club won it for the first time in its history, in a magnificent victory over Glasgow Rangers.When the official party was presented to the teams before the kick-off, the Secretary of State had the rare distinction of being booed more loudly by the crowd than Mr. Jim Farry of the Scottish Football Association. Anyone who is booed by a Hampden crown more loudly than Jim Farry is in serious trouble. Hampden had not seen anything like it since Baroness Thatcher came to present the cup at the height of the poll tax fiasco.

The Government should take on board the fact that the argument does not just take place inside the Chamber: it rages back in Scotland. The arrogance that they have shown to the Scottish people time and again results in booing and in the sort of treatment that they receive every time they show their face north of the border. The message for the Conservative Members is that Scotland does not want them—people in Scotland have had enough of them over the past 15 to 16 years. Everyone in Scotland looks forward to the day when we can have a Tory-free Scotland, with a Scottish Parliament and self-determination for our own country.

The Secretary of State's speech was amusing in those parts where he did not intend it to be. One of his funniest lines was when he said that the Bill had caused many problems—of course, it has. First, it caused the collapse of Tory support in the opinion polls in Scotland once Scottish people realised what the Bill was about. The Strathclyde water referendum created problems for the hon. Member for Ayr (Mr. Gallie) and the Parliamentary Under-Secretary of State, the hon. Member for Eastwood (Mr. Stewart), who found that 90 per cent. of their own constituents were opposed to what the Tory party was proposing in the Bill.

In the local government elections on 5 May, the Tories were pushed not into fourth place in Scottish politics but into fifth place—behind the independents mentioned by the hon. Member for Kincardine and Deeside (Mr. Kynoch). They were beaten by the Communists in Fife. Communist candidates have a better chance of being elected in Scotland than Tory candidates. I have been a great supporter of the tradition in Fife of electing Communist councillors as I think that they have done a marvellous job on Fife regional council.

The Secretary of State said that he had started out three years ago on a quest to achieve what he called all-purpose local authorities. Who on earth can believe the nonsense that what are being created north of the border are all-purpose authorities? Water and sewerage—one of the main services for which local government is responsible —is being taken away from local authorities in Scotland. No single-tier authority anywhere in Scotland will control the police and fire services—the joint boards will do that. Dundee will not be able to determine the level of policing in Dundee because it will be determined by the majority in Perth, Kinross and Angus, who will decide where the resources are to go within the joint board in Tayside. The same is true for all the social and education services, which will have to be provided by joint committees. The Bill is not creating all-purpose local authorities; the purpose of the Bill is to strip local authorities of their current powers. Everyone in Scotland understands that only too well.

The Minister said that a number of principles underlined the national boundary decisions and the shape of the new single-tier councils in Scotland. The principle that underlined the new boundaries was gerrymandering, which we have seen in other parts of the United Kingdom. In Westminster council—in this very district—the Tory council drove out council tenants and the homeless in order to make way for the well-heeled and better-off Tory voters to take over their accommodation in Westminster. The strategy was targeted at the marginal areas to ensure that the Tories hung on to power in Westminster—the same is happening in Scotland.

I joined Tayside regional council in 1984 when it was the jewel in the Tory crown in Scotland, and 28 of the 46 seats were safely in Tory hands. It was unthinkable that Tayside region should ever drop out of control of the Tory party. I spoke only two weeks ago to John Riddle-Webster, an ex-councillor from Tayside, who first stood for election in 1986. He said that the Tories in Tayside were discussing the forthcoming local election and it never entered their heads that they could possibly lose control of Tayside. He said that they were deciding who would deal with what convenorship once the election was safely out of the way. A Labour administration was elected to Tayside regional council in 1986 and again in 1990. More recently, it elected an SNP administration. The Tories have been reduced to just four seats on what was once the best Tory council in Scotland.

Will the Conservative party realise for once that what the Opposition say about the iniquities in the Bill is not just rhetoric. Nobody in Scotland wants the Bill—not even the Tory party in Scotland; the Westminster party does not represent its friends north of the border. The real Tories in Scotland do not want this nonsense; nobody in Scotland wants it and that is why everyone in the House should vote against it.

7.50 pm

Mr. Henry McLeish (Fife, Central): Some interesting parallels can be drawn from the debate. On the Government Benches we see a party heading for defeat, oblivion and opposition. My colleagues are quite buoyed by the experiences of Committee, Report and Third Reading. The Bill simply will not survive in any particular form in the months and years that lie ahead. We look forward with enthusiasm when we come into Government to dealing with the residual effects of this particularly nasty measure.

It is important to nail some of the smears and distortions thrown around tonight about Strathclyde by the hon. Member for Ayr (Mr. Gallie). It is unforgivable that when the Prime Minister, in that half-baked speech at conference described Strathclyde as a monstrosity, he gave a lead to all Conservatives, whether in the House or in Scotland, to decry that public authority on every occasion.

Mention has been made of the Halcrow report on Strathclyde water. The report was favourable to Strathclyde and stated that Strathclyde could stand examination with any water authority in England or Wales and, more to the point, supply water at half the cost.

Let us also nail another smear tonight—that Strathclyde tried to suppress the report. It was quite disgraceful that on the radio this morning the Under-Secretary should make the same smear. It is simply not true that Strathclyde suppressed the report. There was a press conference and it was available to all concerned. We should have some humility from the hon. Member for Ayr, who made that bitter and ill-informed remark.

Mr. Gallie: Will the hon. Gentleman give way?

Mr. McLeish: No. The hon. Gentleman had enough time to smear Strathclyde and does not deserve the opportunity to speak again.

It is also interesting that the Secretary of State for Scotland has now divorced himself completely from the reality of Scottish politics. We can debate whether that is because he is preparing to move to a more lucrative position in the Tory party down south, but it is clear that the Secretary of State distanced himself from the Committee and then wanted very little to do with the Bill when it was being debated in Scotland. It is quite clear to us all that the Secretary of State has run out of enthusiasm for this particularly pernicious piece of legislation.

It is also important to say that the Secretary of State has tried to pretend to the Scottish people that the Bill is all about all-purpose authorities. When we heard that Clackmannan district council, with 47,000 people, is to become one of the new unitary authorities it became clear that the Bill had moved from all-purpose to no-purpose authorities. It is simply disgraceful to ask a council with so few people to do so much on behalf of the electors it wishes to serve. That underlines the fact that the Opposition have always been right to say that the Bill is about gerrymandering and boundaries with no regard whatsoever to the services that are being provided.

There are also some other considerations worth repeating as the Bill ends its Third Reading. There remains no consensus for the measure. The Government may argue that there is, but in Scotland there is not. There has been no commission. The Government have been unwilling to appoint one because they lack the guts to test their crazy policies against any objective criteria. We have had no constitutional change. We shall deliver a Scottish Parliament. That will be the context within which we shall seriously examine services in Scotland and the people who deliver them.

[Mr. McLeish]

Of course we have no assessment of costs. It is a ludicrous position. Hundreds of millions of pounds could still be spent on policies that nobody wants from a Government who will not provide high investment to services that are badly needed, such as community care and fighting crime. It is an act of monumental irresponsibility and it lies fairly and squarely with the Secretary of State for Scotland who took on this madcap proposal and is willing to see it through, even to the destruction of the Conservative party which will surely follow as a result of the process being completed in the House and then moving to another place.

The Government cannot stomach the fact that there is no commitment from the Scottish people. We have heard so much drivel about people in Scotland wanting this reorganisation. We have heard about councillors clamouring at the Minister's door to fix their own areas, but a reorganisation that does not have the support of the people does not deserve to survive, and this one will not survive.

The Opposition are concerned that the Bill has ignored services completely. Life and death services have never figured in the minds of Government Ministers or Tory Back Benchers. It is all about beating a path to the Secretary of State's door saying, "We will slavishly accept the wisdom of this gerrymandering political exercise with no regard to the high-quality services which are being delivered in many areas."

Some 300,000 employees will now find that, as Government did not have the guts to transfer them on the face of the Bill, they may end up in court to determine their future because the Government have also ignored European legislation. The Bill is disgraceful on two points: there is no transfer and no simple adherence to European directives.

The hallmark of the mess has been the Government's commitment to butcher the delivery of water and sewerage services in Scotland. We have heard many words spoken in the House and elsewhere about water. They were given the opportunity after they heard the opinion polls, the Strathclyde referendum and the results of the local government elections, but the Government are so removed from reality that they will take no opportunity to secure their own political future and instead treat the people of Scotland with bitter contempt on those important issues.

We can tell the Government this evening that Scots do not want three super-quangos. We want no halfway house. Despite the bleatings of Tory Back Benchers, they know that water is an albatross round their necks. We shall ensure that it will remain an albatross until and during the next election. They can bleat all they wish, but we shall not let them forget it.

The Bill has also been a root and branch attack on democracy. My hon. Friends have talked about quangos. Scotland will be represented by 1,200 elected people, but 5,000 quango members, meeting in private to do the dirty work of the Secretary of State, will deal with £7 billion worth of expenditure in Scotland.

It is an insult to the House. We pride ourselves on being elected to Westminster to enact legislation that is in the interests of the people. The Government are now hell-bent on ensuring that what they cannot win by the ballot box they will win by the appointment of quangos to every organisation throughout the length and breadth of Scotland. On behalf of the Scottish people, we shall have none of it. The Government stand condemned and isolated on the Bill and have shown no remorse whatever. They are adding insult to injury by dismantling local government and passing services over to the friends and supporters of their party.

My hon. Friend the Member for Clydesdale (Mr. Hood) highlighted another fact. Last week, on Report, we gave the Government the opportunity to put the record straight on seat belts, but what did they do? They brought 250 Tories Members into the House to vote against improving the safety of vulnerable children travelling in minibuses and coaches in Scotland. That can be with their conscience, but my hon. Friend is also right to suggest that we will push until the measure is implemented and Scots can travel safely throughout the country.

The Tories are in a mess in Scotland, but are unconcerned. The Bill is a mess, but the Tories are unconcerned. What they should be concerned about is that the timetable for this ludicrous proposal is also in crisis. In another place, the Bill will be delayed. The prospect of having elections less than a year from now is simply outrageous by any standard of democratic traditions. Let us warn the Government, before the Minister replies, that the story does not end in the House this evening. We shall step up the campaign vigorously throughout Scotland. We expect local authorities not to have anything to do with this legislation.

The Government should remember that, until they get this bad Bill and all the required regulations that go with it through in November, Scotland will have nothing to do with it. That is absolutely right. Parliament and the people should now combine to delay, derail and, ultimately, destroy the Bill. It is not in the interests of Scotland, services or local government. That is why my hon. Friends will vote against its Third Reading tonight.

8 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): May I first say to the hon. Members for Hamilton (Mr. Robertson) and for Orkney and Shetland (Mr. Wallace) that I know that my hon. Friend the Member for Dumfries (Sir H. Monro) will be grateful for the sympathy that they expressed?

A number of genuine points were made during the debate, amid a certain amount of the usual ranting and raving from the Opposition Front Bench. The hon. Member for Renfrew, West and Inverclyde (Mr. Graham) rightly raised the point about Blindcraft. I can assure him that I have met representatives from Blindcraft, with the hon. Member for Glasgow, Springburn (Mr. Martin). I hope that any difficulties will be resolved. The hon. Gentleman asked about the future of the Strathclyde regional chemist laboratories, but the point is that there are only four such laboratories in Scotland, serving all 65 councils in Scotland. That is an excellent example of a joint arrangement that works. There is nothing new or radical in suggesting, as we are, that, under the new structure, local authorities must co-operate in joint arrangements. That happens now.

Following the speech of the hon. Member for Hamilton, there were four excellent speeches from my hon. Friends the Members for Aberdeen, South (Mr. Robertson), for Kincardine and Deeside (Mr. Kynoch), for Tayside, North (Mr. Walker) and for Ayr (Mr. Gallie). A general theme underlined those speeches. The House spent an immense amount of time, rightly and properly, on the Bill. Some 177 hours were spent in Committee and that, as my hon. Friends pointed out, meant that many of the amendments that were tabled were accepted by the Government. The changes that were made to the boundaries in Committee all resulted from approaches to the Government, which were on either an all-party or a non-party basis.

My hon. Friend the Member for Tayside, North rightly referred to the need to look carefully at the most cost-effective way of delivering services in future.

My hon. Friend the Member for Ayr and the hon. Members for Cumbernauld and Kilsyth (Mr. Hogg) and for Clydesdale (Mr. Hood) referred to boundary questions in relation to the proposals for Lanarkshire. I was rather surprised that the hon. Member for Clydesdale attacked the proposals as gerrymandering, because he came to see me, as part of a delegation, to express the hope that the Government would not change the proposals for South Lanarkshire. I was extremely glad to confirm that we were persuaded by the strength of the arguments made by the hon. Gentleman—

Mr. Hood: I am sure that the Minister would not like to mislead the House. Does he agree that the hon. Member for Clydesdale facilitated the meeting for his local authority to come down and put its case, and that there is a marked difference between that and what the Minister said?

Mr. Stewart: There were two meetings.

Mr. Hood *indicated dissent.*

Mr. Stewart: The hon. Gentleman, as I recall, came along with his hon. Friends to a second meeting, in which he agreed with the case that the Government were making for South Lanarkshire. If I have misinterpreted the hon. Gentleman, of course I shall withdraw that, but it was certainly the case that a number of his hon. Friends clearly supported the case for South Lanarkshire.

Mr. Salmond: May I examine the Minister's credentials, as he is one of the contenders for the crown of thorns in the Scottish Office? Has he ever personally believed in water privatisation? If so, when did he stop?

Mr. Stewart: I am glad to respond to that point. I was going to come to it in a moment or two, because I thought that the hon. Member for Hamilton alleged that I had publicly supported the privatisation of water and sewerage in Scotland. I have never publicly supported—[HON. MEMBERS: "Rubbish."] I have never supported the privatisation of water and sewerage in Scotland. The hon. Member for Hamilton made great play of the fact that the privatisation option for water and sewerage used rather more lines in the consultation paper than the option that was eventually adopted by the Government. That proves nothing. The ten commandments were pretty short, but nevertheless they are a great deal more important than many other passages of literature.

Mr. McAllion: Will the Minister give way?

Mr. Stewart: No. I have only a limited amount of time available.

Opposition Members talked about gerrymandering and the cost-effectiveness of the new councils. I have quotation after quotation from individual Labour-led councils in Scotland, not universally but across the central belt and elsewhere. The hon. Member for Hamilton and others referred to Clackmannan. I do not know how much of the Clackmannan case he wishes me to read out, but it is a Labour-led district council, which made a very clear case for its authority to be a unitary authority.

I find it astonishing that the Labour party should have so little confidence in Labour councillors and Labour councils up and down the length and breadth of Scotland that it derides the cases made by Clackmannan, Falkirk, West Lothian—the authority of the hon. Member for Linlithgow (Mr. Dalyell)—and East Lothian. We responded to the cases that were made by Labour council after Labour council.

Mr. Dalyell: West Lothian is not a Labour authority, but will the Minister answer the substantial question of whether there will be a Lords amendment on Queensferry?

Mr. Stewart: That, of course, is entirely a matter for individual Members of the other place.

The key charge of the hon. Member for Fife, Central (Mr. McLeish) was that the timetable has slipped. I am sorry to disappoint him. That is wishful thinking on his part. I assure the House that the timetable for local government reorganisation under the Bill remains as planned. The hon. Gentleman is whistling in the wind—

Mr. McLeish: Will [illegible] Minister give way?

Mr. Stewart: No, I really do not have time.

The hon. Gentleman is whistling in the wind if he dares to suggest otherwise. The Bill is on track and on time; nor will it be moved by the programme of non-co-operation to which the hon. Member for Fife, Central referred positively, but which the hon. Member for Hamilton rightly suggested had not delayed the Bill's passage or the reorganisation programme.

As I have said, the case for the Bill has been advanced over an extremely long period, and it has been presented powerfully and effectively by my hon. Friends tonight. Opposition Members do not know what their policy is, but it is to hand over local government to some other body. That is the policy of the hon. Member for Hamilton: he will stand at this Dispatch Box and have no responsibility whatever for local government policy. The Opposition have no policy to put before the House, as they had no policy to put before the Standing Committee that considered the Bill in such detail.

I commend the Bill whole-heartedly to the House as a blueprint for effective, accountable, stable local government in Scotland—not just for the next two years, but into the next century.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 289, Noes 253.

Division No. 257] **[8.12 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas

Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
French, Douglas
Fry, Sir Peter
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Timothy Kirkhope and
Mr. James Arbuthnot.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*

Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCrea, Rev William
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs. Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Eric Illsley.

Question accordingly agreed to.
Bill read the Third time, and passed.

Prevention of Terrorism (Northern Ireland)

8.28 pm

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): I beg to move,

That the draft Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1994, which was laid before this House on 20th April, be approved.

The House has become too familiar with the need, year after year, to renew the temporary provisions of the Prevention of Terrorism (Temporary Provisions) Act 1991 and its predecessor. The Act has a five-year lifespan. Therefore, unless it is wholly re-enacted before August 1996, its provisions will cease to have effect completely. By then, I shall have published a report from Mr. John Rowe, Queen's counsel, following a fundamental review of the Act's provisions and their operation, which I have already commissioned and which is due to begin next month. We need immediately, however, to note that the Act's temporary provisions—as defined in section 69—lapse on 15 June unless the order is approved. Regretfully, I must advise the House that their renewal is certainly required.

I intend to leave as much time as possible for hon. and right hon. Members to speak. Therefore, some points on which I do not touch, as well as those raised in this debate, may fall to my right hon. Friend the Minister of State to deal with when he replies or in correspondence.

We already have to assist us Mr. Rowe's first report, published on 16 May. I am most grateful to him for taking on this responsibility, in succession to Lord Colville QC. In endorsing his conclusion that the powers conferred by the Act remain necessary for a further year, it is right that I should express the Government's regret that this should be so. Yet in asking the security forces to uphold the rule of law, it is our duty to see to it that the law itself is sensibly adapted in response to the challenge thrown down by the terrorists.

This is a matter of great importance to the Government and, accordingly, we very carefully keep the law under review. Against the need to meet that challenge, we have to balance the need to maintain the essential fairness of the law recognising, among other considerations, that unfair law, perceived to be oppressive, does not gain public acceptance and soon becomes law that works against its purpose.

I deal now with some of the recent atrocities of those who bear the responsibility for the continuing need for these provisions. Since the last renewal of the Act, 84 people have died as a result of terrorist violence in Northern Ireland. Eleven were members of the security forces, and 32 of those killed have been murdered this year alone. The memory of atrocities such as the Shankill road bombing and the Greysteel murders in October last year remain etched vividly on all our minds. However, every bit as evil, although less widely recalled, are the individual murders which leave their indelible imprint on shattered families and fearful communities.

The past few weeks, and indeed the past few days, have seen hideous examples: the young soldier killed in Keady, County Armagh on his first tour of duty; the elderly woman shot dead near Dungannon and the young students murdered in Armagh; the Northern Ireland Electricity cleaner shot dead in front of his wife on his way to work, and the police station cleaner killed by a car bomb that injured his wife and son and placed his three-year old daughter's life in the balance; the abduction, so-called interrogation, and cold-blooded murder of a young Royal Irish soldier, and the killing of a 19-year-old security guard in Belfast. The callousness of those who carry out these and similar acts beggars description. It induces a cold determination in us all to eliminate such evil rather than waste time with the vocabulary of condemnation.

It is to meet the challenge presented by such crimes that we need to renew the temporary provisions of the Act. The Act provides modifications to the criminal justice system, including the mode of trial for terrorist-type offences; arrest, search and seizure powers for the Royal Ulster Constabulary and the Army; and covers certain specific offences such as belonging to a proscribed organisation. It also provides valuable powers directed against terrorist finances. It contains significant safeguards for those who may be affected by the special provisions.

It is also right, I think, to refer to the power to order executive detention. This power, although not currently in force, is retained in the Act. There is, the Government firmly believe, a need to retain it in the Act. If the extremity of circumstances should warrant it, we shall not shrink from activating it. To abandon it, as the Labour party has in the past so regrettably proposed, would be, in our view, an act of high irresponsibility. To vote against previous renewal orders for that purpose was always bad logic as well as bad judgment. The power to order detention can be removed only by primary legislation.

Legal provisions of this character are of themselves of course not enough to secure the Government's primary objective in Northern Ireland, which is the defeat and elimination of terrorism. However, they are shown by experience to give the RUC and the Army the capability to prevent and disrupt a great many attacks that would otherwise have occurred and to bring to justice, week in, week out, many of those responsible for terrorist crime.

I now give some examples of such operations, all drawn from the Belfast area. They are of a character replicated elsewhere in Northern Ireland. In February, a group of people was intercepted in east Belfast: two AKM rifles, a hand-gun and a MK15 coffee jar grenade were recovered and six people were subsequently charged with terrorist-related offences. The following day, a mortar was recovered from a house in north Belfast, preventing an attack on a nearby RUC station, and three men were charged in connection with the incident. More recently, the police searched a house in west Belfast and recovered weapons, sledge hammers and other terrorist equipment and made four arrests. Only last week, a man appeared in court charged under section 27 of the Act with directing a terrorist organisation. All these cases are, of course, now sub judice.

There has been, and will be, no relaxation in the security forces' efforts of this character.

Rev. Martin Smyth (Belfast, South): Will the Secretary of State give way?

Sir Patrick Mayhew: I had hoped to leave time for hon. Members to speak. I shall give way, but it reduces the time available.

Rev. Martin Smyth: I appreciate the Secretary of State's giving way. I also appreciate and welcome those illustrations of success, but is it possible to be told the number of occasions on which legislation against terrorist financing and the organising of terror has been used?

Sir Patrick Mayhew: It is used all the time. It is used to secure very considerable disruption of terrorist financing and of the vehicles by which it is sought to conceal the financing operations on which terrorism depends so heavily. There have been few prosecutions, and I think that that is the point that the hon. Gentleman seeks to make. These cases take a very long time to prepare. If they were insufficiently prepared, the hon. Gentleman and others would be rightly critical of the failure that would result.

The scale of the remorseless erosion by the RUC of the paramilitary forces on both sides is not always recognised. Last year, 372 people were charged with terrorist offences. This year alone, 171 people have been charged, including more than 100 loyalists and 57 republicans. Persons who, after due process of law, may ultimately be convicted of terrorist offences are not some kind of political prisoner, of which we have none in our country. Their conduct is made criminal by the statute book or by the common law. The sentences that their conduct attracts will usually ensure that they stay in prison for many a long year. They are heavy sentences indeed.

Noting the scale of those highly significant and valuable successes, I therefore take this opportunity to pay tribute to the dedicated work of the security forces. They face cruel and callous criminals who stop at nothing, including torture. They face them willingly, always acknowledging that they themselves must operate within the law. They know that, as the rule of law requires, their own actions will be carefully and impartially scrutinised by authorities that are independent of the Government. Immense discipline and restraint, as well as courage, are called for from the security forces—police and military—as well as from the prison service. For the very high standards that they achieve, I believe that they deserve our warm gratitude and admiration.

I refer now to the co-operation that the security forces receive from across the border. It is sometimes suggested that the quality of security co-operation with the Republic could be enhanced. Achieving the most effective security co-operation possible is vital to our joint opposition to terrorism. I am therefore glad to report to the House that the quality of the co-operation that we receive from the Republic is, in the words of our Chief Constable, "at an all-time high".

Throughout this year, the Garda Siochana on the ground has continued to make very significant finds of arms and munitions, has taken part in a number of co-ordinated operations and made arrests. This work is greatly appreciated. Both Governments, however, constantly strive to find ways of improving the effectiveness of security measures, through the mechanisms of the intergovernmental conference and elsewhere. As recent events have shown, the terrorist threat is not confined to the north, and the co-operation between the two police forces will continue to be two-way traffic.

I return to the legislation itself and to the general reports on facets of its operation that I have commissioned and already published. First, I refer to the holding centres and the question whether interviews with terrorist suspects should be recorded. The holding centres, or police offices, play a central part in bringing terrorists to justice; perhaps that is why they have attracted controversy in the past. We want them to be demythologised. Accordingly, on 1 January this year, codes of practice concerning the detention and questioning of suspects came into effect under section 61 of the Act.

At the end of 1992, I appointed Sir Louis Blom-Cooper QC as independent commissioner for the holding centres, which was a new post. I am most grateful to him for his diligent and inquiring work since then, as I am also to his deputy, Dr. Bill Norris. Sir Louis' first annual report to me, now published, is characteristically thoughtful and I am grateful for it. All should be pleased to note that he

> "found absolutely nothing that might give anyone the slightest cause for concern about the care and treatment of detainees held in the custody of uniformed officers of the RUC".

I shall now touch on some of the issues that Sir Louis raises. He advocates, as does Mr. Rowe, some form of audio or video recording of interviews. I readily acknowledge the strong arguments in favour of either video or audio recording. They have powerful judicial support, and hold out the prospects of some obvious and valuable advantages, not least in shortening or eliminating at trial challenges made to the authenticity of alleged confessions.

However, one of the key tests is whether it could be absolutely guaranteed that such a recording could not later come to be seen or heard by someone who had a punitive motive. I myself am not sure that such guarantee would be regarded by suspects as reliable. It is the strong view of Sir Hugh Annesley, who, as Chief Constable, is my principal security adviser, that in the circumstances of Northern Ireland any electronic recording of interviews would inhibit still further the chances of lawfully obtaining information that would lead to the conviction of terrorists or to the saving of other people's lives. I have discussed the matter with him at length, and I am not prepared to take a serious risk of that character. I am bound to attach special weight to the opinion of Sir Hugh Annesley, who leads the RUC with such distinction, and I am not currently persuaded to accept the proposal.

Sir Louis also made other recommendations. We are happy to accept his proposal to reorganise the medical services in the police offices. The proposal for a legal advice unit is also attractive, but that is not entirely ours to dispose. We have asked the Law Society of Northern Ireland, whose co-operation would be vital, for its views. I understand from Sir Louis that he wishes to progress his work on this issue still further. He intends, I believe, to produce a separate interim report on the proposal in the autumn; I look forward to that.

Sir Louis also criticises the physical conditions in Castlereagh. I have to agree that they are unsatisfactory, and I am aware that the Police Authority for Northern Ireland is actively pursuing a solution to the problem.

I now return to Mr. Rowe's report, and to complaints against the police and armed forces. Police officers and soldiers move and work in the community, sometimes in very difficult circumstances. It would be remarkable if there were not what Mr. Rowe describes as abrasive incidents. The security forces are trained to avoid them, but everyone is human and it is important that there should be sound mechanisms to deal with any complaint when one occurs.

For the police, there is the Independent Commission for Police Complaints, whose sixth annual report was published last week. The commission is a fully independent body, with wide-ranging powers, and is acknowledged as a world leader. Its chairman, Mr. James Grew, is currently chairman of the international association of such organisations. That is a tribute not only to him but to the body over which he presides.

The Army, too, maintains extensive and sophisticated complaints procedures. At the end of 1992, I appointed, under section 60 of the Act, Mr. David Hewitt, an experienced and respected Belfast solicitor, to be independent assessor of military complaints procedures —another new post. His first annual report to me was published last month. I believe that now, for the first time, a thorough and impartial account of those mechanisms is in the public domain. With it came recommendations for improvement. The GOC, Sir Roger Wheeler, has said that he is examining these very carefully with a view to their implementation, and I look forward to having further discussions with him.

Mr. Rowe also draws attention to conflicting views on the law as it affects soldiers or police officers who have killed terrorists, or people believed to be terrorists. I know that many people, including some in eminent positions, regard the present law as unsatisfactory.

The Lord Chief Justice of Northern Ireland has lent his support to a change in the law in a recent judgment upholding the conviction of a soldier for murder. Sir Brian Hutton, whose view naturally commands the highest respect, stated his belief that the law would be fairer if a conviction for manslaughter rather than murder were possible where a soldier or police officer had killed a person, not from an evil motive, but because, his duties having placed him on the scene armed with a weapon, he had reacted wrongly to a situation that suddenly confronted him.

Police officers and soldiers are required to operate in areas in Northern Ireland where there is a grave threat against them. They do that in order to uphold law and order and to protect the community. The fact that almost 1,000 members of the security forces have been killed during the current terrorist campaign is evidence enough of the risks that they face.

They are, in certain circumstances, under a duty to use their weapons for the protection of themselves or of others. They must make up their minds in a trice. In so doing, they are offered no more and no less protection under the law than that available to any citizen.

However, I think that such a change in the law would soon be criticised. It would be said that the Government were intent on protecting members of the security forces from facing the charge that they allegedly ought to face —that of murder. "One law for the security forces and another for the rest," would be the criticism. Yet it has always been the policy of successive Governments that members of the security forces should be bound by the ordinary criminal law. I believe that that is a sound principle, and one which attracts public confidence. After the most careful consideration, I do not find myself persuaded that the overall interests of justice would be served by a change of that character.

The Act needs to achieve a balance between safeguarding the rights of the individual and providing condign measures against terrorists and the organisations that sustain them. So, in the context of the debate, it is relevant to recall that the Chief Constable of the RUC has put to me certain proposals for law reform. I have considered those most carefully, in consultation with the RUC and according to the criteria that I have mentioned. Naturally, I have also taken into account judicial opinion in Northern Ireland. I shall deal with those proposals briefly now.

I agree that we should make it easier for the police to obtain from suspects samples for forensic analysis. It is vital to be able to undertake DNA analysis, and by means of a Government amendment to the Criminal Justice and Public Order Bill, currently in another place, plucked hair will be classified beyond doubt as a non-intimate sample for the purposes of the Police and Criminal Evidence Act 1984. More work on forensic analysis generally is being undertaken in the context of the report of the Royal Commission on criminal justice.

The Chief Constable believes that if means could be found of admitting in evidence the product of warranted interception of communications, obtained under the Interception of Communications Act 1985, that would valuably help to secure the conviction of some terrorists who might well otherwise go free. I have much sympathy with that idea. It is a serious and weighty argument, and one to which I and others need to give full and careful consideration. I am mindful also of the considerable success which has attended the use, notably in the United States, of wire-tap material.

However, the provisions of the 1985 Act were intended to maintain the complete secrecy of the system of organised interception. It was considered then that the system could be irrevocably damaged, both as a method of protecting national security and of dealing with serious crime. For example, in some circumstances, even to allow someone to discover that he was the subject of interception might make it impossible to pursue an investigation. Anything that disclosed the pattern of use of interception could also be damaging.

Accordingly, although the Government are not as yet persuaded that the case for change has been made out, we are continuing to examine most carefully both the way in which cases develop, and the balance of advantage and disadvantage in any changes, in the uniquely difficult circumstances of Northern Ireland.

Sir Hugh Annesley has further suggested that a suspect's so-called right to silence be amended by the adaptation and extension to all terrorist crime of the provisions concerning authorised investigators contained in the recently introduced section 57 and schedule 5 of the Act. That would make it a criminal offence for a suspect to refuse to answer questions in certain circumstances. The powers in question derive from provisions designed for use against fraud. They enable the RUC to obtain the expertise of particular individuals for the skilled questioning of suspects in complex fraud cases, with criminal sanctions for unreasonably refusing to answer. After careful consultation about the proposal to extend them, I do not believe that so important a change in a basic principle of our criminal justice system should be commended to Parliament.

A further proposal would significantly narrow a court's discretion to acquit in cases of possession. That would involve amending the Act to require the court to make the necessary assumption of knowledge in such cases unless it were shown to be incorrect or the court were satisfied that there would be a serious risk of injustice. I am, however, not convinced that it would achieve the desired effect, and

I am concerned that it might also increase the risk of miscarriages of justice. I therefore believe that the potential benefit would be outweighed by the practical and theoretical drawbacks.

The people of Northern Ireland continue to face, with great steadfastness and resolution, evil campaigns of violence that are pursued with political motivation. They not only need to have confidence in the resolution, fairness, impartiality, courage and sensitivity of our security forces and those qualities in our security policy; they also need to have confidence in the effectiveness of the law with which the security forces are called on to counter the men of violence. As Mr. Rowe says in his report, the community's right to be free from terrorism is as important as any individual's rights, and that well describes the competing interests which the House must bring into judicious balance.

I greatly hope that the Opposition will nerve themselves in the interests of Northern Ireland not to vote against the order. The iniquitous crimes of terrorists continue to necessitate the renewal of the Act's temporary provisions, and I commend the order to the House.

8.50 pm

Mr. Kevin McNamara (Kingston upon Hull, North): The renewal of the emergency powers has, sadly, become an annual ritual in the House. What were originally intended as temporary measures have now been in existence for 21 years. Powers that can be justified in an emergency cannot be justified as a permanent feature of the criminal justice system in a liberal democratic society, and that is why we examine them each year.

This debate provides an opportunity for the House to assess the security situation in Northern Ireland and the Government's new initiatives. It also provides an opportunity to comment on some of the interesting statements made by the Secretary of State about some of the Chief Constable's requests for additional powers.

Despite the joint declaration and the strong momentum behind the peace process, the level of violence has escalated recently. The rate of killings in Northern Ireland this year is as depressingly high as it was in 1993. No community in Northern Ireland has escaped the impact of paramilitary activities.

There can be no excuse for such callous disregard for human life. It should not be forgotten that we would not be here debating this renewal order if all the paramilitary groups in Northern Ireland brought the killings to an end, with the permanent cessation of violence. We regret that the call of the leader of the Ulster Unionist party for the loyalist paramilitaries to end their campaign has not received an immediate and positive response.

In response to Sinn Fein's questions on the joint declaration, the Government made four important points. First, the Government of Ireland Act 1920 can be on the negotiating table; secondly, no party has a veto over Government policy; thirdly, there is no need for Sinn Fein to accept the joint declaration, only to renounce the use of violence for political ends; and, fourthly, there is recognition of Sinn Fein's electoral mandate. Given that response by the Government, there can be no justification, if ever there was—which I deny—for continued IRA violence. They should lay down their arms and come to the conference table.

Like the Secretary of State, we express our support and admiration for the work done by the security forces, the prison service and the judiciary, as they seek impartially to uphold the rule of law. Those men and women deserve acknowledgement for coping with the continuing stress and danger associated with their work—and, indeed, sadly, after they have ceased their full-time service. We also welcome the continuing high level of co-operation between the RUC and the Garda Siochana.

In its present form, the emergency provisions Act confers on the security forces wide-ranging powers which represent a marked departure from the usually accepted standards in a democracy. The Labour party recognises the justification for some emergency powers to counter the terrorist threat in Northern Ireland. However, we cannot support this order while the power of internment remains on the statute book and the Government still refuse to implement measures recommended by their own advisers and bodies, such as the Standing Advisory Commission on Human Rights.

The power of internment is an infringement of fundamental human rights. It is totally unacceptable. The power of the Executive to imprison without charge, let alone trial, undermines the founding principles of any democratic country. The legitimacy of the state is based on the rule of law. The power of internment grants the Executive the right to suspend the rule of law. Such a right weakens the integrity of the state, and thereby strengthens the terrorists.

Mr. Julian Brazier (Canterbury): Will the hon. Gentleman give way?

Mr. McNamara: Not at the moment.

Speculation after every terrorist atrocity over the possibility of the reintroduction of internment only fuels paramilitary violence and suggests that somehow there is a quick fix—an immediate solution to a continuing problem. Further, because of the history of internment, it heightens the levels of alienation and distrust, which again plays into the hands of the paramilitaries. The Government should take heed of Sir George Baker, the Standing Advisory Commission on Human Rights and Lord Colville, and repeal the power.

This debate takes place against the background of four major reports—two by John Rowe QC on the emergency provisions Act and the prevention of terrorism Act, and the annual reports of Sir Louis Blom-Cooper QC, the independent commissioner for the holding centres, and David Hewitt, the independent assessor of military complaints procedures.

Fears concerning possible abuses at the holding centres have contributed to disillusionment with the process of justice in Northern Ireland. We welcome the fact that, in his report, Sir Louis Blom-Cooper recognises the need for proper safeguards to be introduced in order to build confidence in the security forces and to provide police officers with protection against false allegations of physical and verbal harassment.

Yesterday, I visited the Castlereagh holding centre. I am indebted to the RUC officers for their the courtesy and help in explaining their procedures and practices to me. I looked at the battery of small television screens monitoring the interview rooms. I think that there were only eight

[Mr. McNamara]

interviews taking place in this instance with 16 screens to be monitored. I therefore concur with Sir Louis Blom-Cooper's assessment:

> "If there is, at any one time, more than a handful of interviews taking place—and frequently there are as many as eight to a dozen in action—it is difficult to understand how any inspector of police, however vigilant and undistracted by other duties . . . can be alerted to an untoward incident which might take place in the interview room."

Sir Loius Blom-Cooper argues that, as a result,

> "it is well nigh impossible to monitor the screens effectively".

He therefore concludes that a system should be introduced whereby

> "every interview would be tape-recorded, both audio and visual, but particularly the former".

I listened with care to what the Secretary of State said about the views of the Chief Constable. He must keep those views very much in mind. Sometimes, chief constables must be overruled, and this is one of those occasions when that is necessary, both in the interests of apparent justice and in the interests of defeating terrorism.

Sir Louis Blom-Cooper joins a wide body of opinion in favour of some method of recording interviews at holding centres. For example, John Rowe states:

> "I hold the firm view that interviews with terrorist suspects should be recorded by audio tape."

He also accepts that video recording is "desirable" in certain circumstances.

The Standing Advisory Commission on Human Rights has already supported the introduction of silent video recording, and is considering the call for audio recording. Lord Colville also called for the introduction of video recording.

Sir Louis Blom-Cooper outlined a system to protect tape recordings of interviews. His proposal that the disclosure of tapes should be a judicial decision is in line with what Labour has argued. If such a procedure is felt to be undesirable, however, it should still be possible for the Government—despite the Chief Constable—to accept in principle the introduction of audio and video recording and to establish a small working party representing the Bar, the RUC, the Law Society and the judiciary, to propose a system that would be satisfactory.

I accept what Sir Hugh Annesley said about guaranteeing security, but nothing is secure in that system, and audio recording of terrorist interrogations takes place in Britain, where we do not find that too strong an argument against it. We also know that procedures are being considered in Britain, in principle, for the introduction of video safeguards again for the interrogation of terrorists; therefore, guaranteeing security does not seem to be a powerful argument in Britain.

In Paddington Green police station, all interviews of terrorist suspects are audio-taped and soon will be video-taped. If it is possible to ensure reasonable safety in Great Britain, I fail to see why it cannot be done in Northern Ireland.

There has been a change in the RUC's argument, as the Secretary of State reported. Its earlier argument would have been that, if the tapes fell into the wrong hands, people could find out sources and hints of intelligence, or that sources of information might dry up. In fact, the RUC defeats that argument by saying, in answer to criticisms on other matters, that, once a detainee is released into an ordinary prison, he or she is debriefed.

Two other main points arise from Sir Louis Blom-Cooper's argument. First, as the Secretary of State said, his proposal for a permanent, full-time legal advice unit for detainees in holding centres deserves further consideration, and I am glad to hear that Sir Louis will give it. It is clear, however, that whatever unit is established would have to be run independently by the Law Society and be seen to be independent of the Government.

Membership of such a unit would in no sense have to be restricted to exclude certain solicitors. It would have one advantage, in that, if it were adopted, it would be right to expect an end to the use of 48-hour deferrals of access to a solicitor. That represents a severe curtailment of the fundamental right of access to legal advice. If such a unit were established, although solicitors would go into the compound to interview, their permanent office should be outside, as a symbol of the fact that they are independent of Government.

I am also concerned about persistent rumours of unsubstantiated allegations that certain solicitors pass on information that they receive from their clients to paramilitary organisations. Those insinuations may bring the authorities into conflict with United Nations basic principles on the role of lawyers, which state among other things:

> "Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions."

If such actions are taking place, evidence should be supplied to the Director of Public Prosecutions, as it would be a criminal offence, or to the professional conduct committee of the Law Society, as it would also be a professional offence. If there is no evidence, however, the allegations should stop. Unsubstantiated attacks on the reputations of solicitors attending clients at holding centres cannot be allowed to continue. Such attacks represent a serious breach of the principle that every individual has a right to a proper defence by a lawyer of his or her choice.

Video and audio taping would have one slight advantage, in that they help to prevent the allegations made by some detainees that their solicitors' connections with paramilitary organisations are said to prove their guilt.

Secondly, I have witnessed the extremely poor conditions within the Castlereagh holding centre to which Sir Louis referred in his report. He asserts:

> "the whole centre is not conducive to the civilised administration of a process of holding persons in police custody for the purpose of interrogation".

I agree. He also states:

> "The absence of any realistic space for exercise in the open air . . . and the absence of any clock or watch and the denial of reading and writing matter are serious deprivations".

I understand that exercise in the open air would be difficult, but the others could be complied with immediately.

Furthermore, RUC officers stationed at Castlereagh are also forced to endure appalling working conditions. We support the proposal that the police authority should urgently get on with finding other premises.

Northern Ireland is a deeply divided society, and a significant section of the population refuse to accept the legitimacy of the forces of law and order. In such circumstances, the impartial upholding of the law is crucial, and the lack of confidence in the security forces which exists among some groups cannot be ignored.

While the majority of the security forces in Northern Ireland maintain, and have maintained, the high standards expected of them, often in the face of tremendous abuse and the temptation to retaliate, it nevertheless must be recognised that there are occasional abuses of power. This further damages confidence in the community, and reinforces the sense of alienation. Even with safeguards to protect citizens, abuses of power are still almost inevitable.

John Rowe reports that the number of complaints against the police in 1993 was 2,956, yet only 1 per cent. of those were substantiated. Rowe asserts:

"the small number of complaints substantiated causes resentment in the community".

Such a low level of success damages the credibility of the independent commission. I support the commission's call for a change in the legislation to enable it to call in cases for investigate without the need for a complaint or referral by the Secretary of State, the Chief Constable or the police authority.

The Secretary of State said that he would not accept what the Lord Chief Justice said about a new, or lesser, crime to be indicted against members of the security forces who kill somebody in doubtful situations when they are on duty. I confess that I believe that there is still a lot to be debated in this area. One can see the problem facing the serving soldier.

I was under the impression that, at the intergovernmental conference over a year ago, the matter was referred to civil servants from both sides for discussion. I had expected that there might have been an outcome to the deliberations. Certainly I believe that there is wide scope for debate. I do not think that we can casually, in a few moments, throw over what the Lord Chief Justice has said —as the Secretary of State has done in the debate—without examining it more carefully.

The Labour party warmly welcomes the impressively detailed first annual report of Mr. David Hewitt. While we maintain that the assessor should have powers to investigate the merits of particular cases, and while we regret that the powers relate only to procedure, David Hewitt's research and recommendations deserve careful consideration by the Government.

I was pleased to hear that the commanding officer is looking at the matters carefully—and, I hope, sympathetically—because much of what Hewitt suggested is powerful, and could go a long way towards easing many troubles. The low number of successful complaints, as he has pointed out, remains a matter of concern, because it calls into question the accountability of the armed forces, and reinforces the perception that they are above the law, which we all know and believe they are not.

In 1993, only 16 formal non-criminal complaints—7.6 per cent. of the total—were upheld. Hewitt concludes:

"perhaps as many as 50 per cent. of the 'denied' and 'not substantiated nor disproven' cases may have been from individuals genuinely and understandably aggrieved by Army behaviour, at least on the balance of probability, if not beyond reasonable doubt."

Hewitt concludes that the low level of successful complaints leads to "widespread dissatisfaction", which he considers to be justified. That is a damning indictment of the present procedures.

Mr. Brazier: As the hon. Gentleman works through his long laundry list of the existing powers with which he agrees and disagrees, would he like to make it clear whether there are any extra powers that he thinks the security forces should enjoy in Ulster to defeat the very real threat from terrorism?

Mr. McNamara: I believe that a careful balance must be struck between those powers that are necessary and which will not alienate the community, and those that, if used, would alienate the community and therefore would be self-defeating. For example, there are powers relating to the laundering of money and matters of that nature which are a very proper part of the ordinary law of the land and of the emergency provisions.

I regret that we have to have trials without juries, but I would rather have contracting in than certifying out. There are others, which I could go through. The principal one which I have stated I do not believe should remain is the power of internment. The Government should also accept the other recommendations that have followed.

No one can quarrel with David Hewitt's assertion that the overwhelming aim of the complaints procedure is to give reasonable satisfaction to a genuine complainant. In cases where it is simply the soldier's word against that of the complainant, Hewitt recommends that the complainant should more often be given the benefit of the doubt and an apology should be dispatched on a "without prejudice" basis. I support that proposal.

Also of concern are cases highlighted by Hewitt which fall outside the Army's non-criminal investigation procedure because they have been deemed criminal by the RUC, but where the Director of Public Prosecutions decides not to prosecute. In those cases, no further action or prosecution is undertaken by the Army. Again, I support Hewitt's call for all criminal incidents that are not prosecuted to be made automatically the subject of Army investigation, and a reply made in the same way as with non-criminal formal complaints. That has the added advantage of ensuring that the Army is seen to take an interest, and increases the possibility of disciplinary action if the complaint is upheld.

John Rowe also discussed the need to implement as soon as possible a code for stop-and-search guidelines. Such a code would provide an indication to the police, armed forces and ordinary citizens of what is acceptable in practice. It would prove a useful yardstick against which to measure behaviour when a complaint is lodged, and the reasonableness of a complaint. That should also be supported.

The Secretary of State mentioned a number of matters on which he had had discussions, following the list produced by the Chief Constable. On the question of the plucked hair, I presume that the hair would be plucked from the scalp. The power already exists to take a swab from the mouth for DNA purposes. Plucking a hair or taking a swab from the mouth would still be seen as an assault, but plucking a hair would probably be easier than taking a swab from the mouth. I presume that the intention is that the hair would be plucked from the scalp. The circumstances under which that was done would have to be considered carefully, but I regard that as a reasonable matter to go ahead.

I also understand the Secretary of State's difficulty about the intercepting of telecommunications, which could make available evidence that would lead to more successful prosecutions. The problem is, under what circumstances, controls and patterns would such evidence be taken; how could it be rendered credible; and what would the protections be? Would it be done by judicial warrant or the fiat of the Secretary of State? A political decision in such circumstances would not be acceptable. Equally, however, I understand why the Secretary of State is reluctant to see the prerogative powers cut back.

[Mr. McNamara]

Although I would have to refer the matter to my hon. Friends, I believe that the attaining of evidence in that manner, subject to proper judicial control, would lead to successful prosecutions, as we have seen against the Mafia in the United States. I would not lose much sleep about it, but I want proper controls over it. It should not be left to political decisions by the Secretary of State. Just cause for curtailing such evidence would have to be given before a judicial officer.

On the right to silence and the possession and assumption of knowledge, the Secretary of State has taken the right decisions.

The Government must recognise that we cannot continue to maintain the same policing methods in a divided society which, every year, grows even more geographically segregated. We understand the difficulties in recruiting greater numbers of the minority community to the RUC. However, more than 90 per cent. of the membership of the police force is drawn from one community. That serious imbalance cannot be ignored.

The Government's recent discussion paper, "Policing in the Community", does not tackle the problems of community acceptability and recruitment. Instead of examining alternative structures, it merely proposes the further centralisation of power. The discussion paper seeks to maintain the fiction that community policy and security policing are separate.

Northern Ireland needs the whole community to feel that the police force belongs to all of them. While we understand that this objective is intrinsically linked to the political situation and to the question of a political settlement, it should nevertheless still be the immediate aim of the Government to consider ways in which to improve the general acceptability of the police force.

The Labour party recognises the need for an effective anti-terrorist policy. We ourselves have instituted a major independent research project to re-evaluate current anti-terrorist methods, to develop alternative proposals and to look also at European experience. The failure to develop a comprehensive and successful counter-subversion policy has led to a steady erosion of civil liberties, and meanwhile has left the citizens of this country exposed to terrorist attack.

The terrorist denies the most basic of human rights: the citizen's right to life. But that does not free the Government of their responsibility to maintain certain democratic principles, objectives and rights.

We will vote against the order tonight, because it has failed to be an effective mechanism to defeat the paramilitary; because the power of internment remains on the statute books; and because of the Government's constant failure to accept the recommendations of their own advisers to improve the protection of the citizen and remove propaganda material from the mouths of terrorists. Until the Government repeal the power of internment and introduce reforms and safeguards recommended by their own hand-picked advisers, the Labour party is unable to support the renewal of the order.

9.15 pm

Mr. Andrew Hunter (Basingstoke): It is therapeutic to listen to the hon. Member for Kingston upon Hull, North (Mr. McNamara) because whatever inner doubts one might have about one's own position are instantly dispelled by his tortuous and fallacious reasoning.

I shall be brief. The substantive arguments relating to the emergency provisions have been well rehearsed over the years. Many of us who hope to catch your eye in the debate, Mr. Deputy Speaker, will speak from well-entrenched and well-defined positions. I am no exception to that rule. I strongly support the renewal of the emergency provisions.

The underlying issue—the key to the debate—is of course the tension which exists between, on the one hand, championing civil liberties and, on the other hand, taking effective measures in the fight against terrorism. I do not deny for one moment that both the Prevention of Terrorism (Temporary Provisions) Act 1989 and the emergency provisions do curtail civil rights, but I believe that the greatest threat to civil liberties actually comes from terrorism and not from these measures. Those who seek to undermine or change the decision of the ballot box by bullet or bomb are themselves committing a greater offence against civil liberties than are these measures.

It is a paradox that unless we take appropriate measures against terrorism we are ourselves undermining cherished civil liberties. In the context of terrorism, we have to requalify civil liberties. Nor should we overlook the fact that the emergency provisions go hand in hand with the search for a political settlement, and we undermine the chances of achieving a political settlement if we do not take effective measures against terrorism.

I shall discipline myself and select just three points from Mr. Rowe's report. Many others can be made and other hon. Members will no doubt make them. The first takes up a substantial part of the speech by the hon. Member for Kingston upon Hull, North. I welcome the retention of the detention orders in part IV, section 34—I refer particularly to page 30, chapter 7 of the report. This is, we know, an emotive and divisive issue. My personal views have not changed, and I do not apologise for holding them. I believe that there are circumstances—select, special circumstances —in which detention is justified and should be used. I therefore welcome Mr. Rowe's conclusion.

Mr. Seamus Mallon (Newry and Armagh): I thank the hon. Member for giving way. Will he share with us at least one, perhaps two, of the select circumstances in which he would favour detention?

Mr. Hunter: The hon. Gentleman is excessively enthusiastic. Had he borne with me for a moment or so, I would have discussed that point.

Before I gave way a little prematurely, I was saying that I therefore welcome the conclusion drawn by Mr. Rowe that the detention powers should remain part of the Act. I acknowledge that internment is an infringement of civil liberties. I acknowledge that when it was practised in the 1970s probably some people were unjustly detained. I acknowledge that in the 1970s it was a boost to terrorism, but I believe that that was yesterday's argument and that the times have significantly changed.

Internment today would be regarded as fairer than was the case in the 1970s, for the simple reason that it would strike across the community divide. That is a substantial difference from the practice of internment 20 years or so ago. Both the political climate and public thinking have substantially changed. Whereas then we were dealing with an immediate backlog of an abuse of civil liberties, that is hardly the case today. Public thinking has changed, and so has the quality of intelligence. For those reasons, I am suspicious of the familiar arguments against internment.

In answer to the question that the hon. Member for Newry and Armagh (Mr. Mallon) asked me, I believe that the most justifiable circumstances for the use of internment are when heightened terrorist activity is a reality or is anticipated on strong intelligence grounds. Selective internment at that point, aimed at key people known in the terrorist movements, can totally undermine and destroy terrorist cells' command and communication structures and incapacitate terrorist activity. In those circumstances, used selectively and sensitively, I believe that internment can work.

Mr. Brazier: Does my hon. Friend agree that powers of that type, although they are not called internment powers, already exist in almost every other country in Europe and have been used successfully—holding people for months on end—in dealing with organisations such as the Red Brigade?

Mr. Hunter: I do not have the intimate knowledge that my hon. Friend has. From my reading about the ways in which other countries have tackled terrorist problems, I know that there has never been a success without the legal powers to detain the leading players in the game of terrorism.

I shall accelerate to the second theme that I want to take up from Mr. Rowe's report. I am prompted to that by a statement on page 19, paragraph 3, under the heading,

> "General remarks on Part I of the Act",

where Mr. Rowe writes:

> "It was said to me that there should be . . . no further use of hearsay against the defendant on material points or substantial and contentious matters."

Leading questions always need to be asked about our battle against Irish terrorism. Are the resources available? Are the legal powers that we need there? Is our intelligence gathering all that it should be? Is the co-operation with the Republic all that it should be? The question of legal powers is pertinent to the emergency powers that we are discussing.

I listened with great interest to the comments of my right hon. and learned Friend the Secretary of State. I must confess that I followed closely the arguments that emanated especially from the Royal Ulster Constabulary, and which were reflected in the amendments to the Criminal Justice Bill tabled by the hon. Member for Upper Bann (Mr. Trimble). Those amendments and the surrounding debate concentrated on whether hearsay and electronically gathered evidence should be admitted. There was the question whether the right to silence should be redefined. There was the question of providing greater protection for witnesses and the emotive issue of encouraging super-grass evidence. I do not think that the debate is closed. Many more people will give their ideas in the next few months and I know that my hon. Friends share the thought that perhaps those should be considered closely before we come to a conclusion.

There is to be a major review of the emergency provisions next year. I hope that those will be among the many issues to be considered in that review. If the feeling of the RUC is that these additional powers should be enshrined in law, we as politicians would have to have very good reasons for failing to go along with the proposal. The RUC is, after all, in the front line of the fight against Irish terrorism.

My last point refers to paragraph 3 on page 35 of Mr. Rowe's report. This concerns the conclusion that interviews should be recorded on audio tape. I remain cynical about that conclusion. I have listened carefully to the arguments put forward by the RUC. Mr. Rowe summarises at great length the case that he encountered. What interests me about his thesis is that his counter-argument singularly fails to convince. Mr. Rowe quarrels with the fact that all that the RUC feared would happen if tape recording were introduced is the current reality. Surely that fact is an argument for looking at existing practices rather than for jumping to the conclusion that what is needed is the recording of interviews.

The emergency provisions have an essential and integral part to play in the battle against terrorism. They therefore supplement the search for political agreement. The annual report unequivocally recommends their renewal, and that is precisely what we should do today.

9.26 pm

Mr. Seamus Mallon (Newry and Armagh): I find it very difficult to take part in this debate. In the past seven days, there have been four murders in my constituency. Two of those murdered were neighbours of mine—young students shot in a taxi station in Armagh—one was a young soldier in the town of Keady, and the fourth was a young soldier in the city of Armagh. Having experienced such a thing so recently, and having known it so often over the past 25 years, one is torn emotionally, intellectually and, indeed, politically when one addresses these issues. It would be very difficult for people like me to adopt the decided views that can be taken by people living in England, Scotland or Wales.

In these circumstances, it is all the more essential that we examine, scrutinise and, indeed, criticise the legislation. The more terrorism strikes at the heart of a community, the more that community's legislators should defend those things in the system of law and in society that we all hold dear. The last thing we should be doing is facilitating terrorists by allowing them to create a legal wasteland, to force us to bend the law as is done in this legislation and to produce in us knee-jerk reactions that often have more to do with personal prejudices than with the defeat of terrorism.

That is why it is absolutely essential that the House of Commons should ensure that it does not approach the matter as being, in the words of the *Evening Standard* of 10 March 1993,

> "a litmus test for sound anti-terrorist credentials."

I do not for one moment believe that there is an hon. Member in the House who does not have sound anti-terrorist credentials. Whatever our views, they should be treated on that basis.

Our views should also be treated in a wider way because we are at a crucial time in the life of the north of Ireland. Put simply, is it possible that we can persuade the terrorist groups to stop their violence, become part of the political process and create peace or is it not? The answer to that question very much determines views on what may or may not be contained in this legislation or any future legislation.

[Mr. Seamus Mallon]

For that reason, it is essential that we examine, scrutinise, and, with courage, question that which we feel should be questioned.

There is no point in our participating in a three-hour debate once a year, to be ritualistic, say safe things and make comments that might please other people. We should put the spotlight on the subject: where there is a deviation and derogation from the normal law, we must always shine the spotlight. For that reason, I would not regard today's debate as ritualistic, although it may sometimes sound ritualistic, but as an essential part of the process.

We should ask broad general questions. We may not be able to answer some of them and we may have divided views on some of them. The first question that I would ask is this: can the implementation of the Northern Ireland (Emergency Provisions) Act 1973 and the prevention of terrorism Act be fully and properly accommodated within a civilised society without doing irreparable damage? Secondly, is damage done to the process of law that has been seen in this country to have resulted in unsound and unsatisfactory convictions—of which I think there have been six over this period?

On the subject of damage to the process of justice itself, are the highest standards and integrity of law and the process of justice being eroded in any way by the implementation of the legislation? We have only to look at some of the events that have taken place over the years in what are now called holding centres and what used to be called interrogation centres, at some of the incidents that have happened on the streets and at the incidents that involve loss of life. If we consider the issue in those terms, we must say that there is a danger that damage is done to the process of justice.

Is damage done to the body politic itself? Is there an erosion of the proper conviction that the law, the courts, the police and the legislators are there to protect every person's right as well as to punish him or her when he or she transgresses? Is the legislation there to protect, rather than diminish, those rights? After all, legislation exists to defend the innocent, not to make him or her subject to detention for the purpose of intelligence gathering, as has happened in the past—a subject to which I shall refer later. Is damage done to society as a whole? Are the highest standards, which we should all cherish, being damaged in the process of trying to arrive at a political solution through the legal process?

We should ask those questions and we should keep asking them, because what is at stake is not just the future elimination or defeat of terrorism in Northern Ireland or what happens to the Provisional IRA or the so-called loyalist paramilitary groups. At stake are the principles and the highest standards that have been built up painstakingly over centuries. Once those are diminished, it is difficult to re-establish and reinstate them. Every time the law is diminished, society is diminished, and every time society is diminished, so is every person within it. Against that background, no matter whom it might hurt, we should examine the legislation and the laws within it very carefully indeed.

I shall concentrate on about four issues and intend to speak briefly. The first issue concerns the delays in remand. I quote the Secretary of State in a previous debate on 8 June 1993:

> "We set demanding targets of 38 weeks from first remand to committal, and 14 weeks from committal to arraignment. The scheme began on 1 July 1992. The agencies involved in the prosecution process have embarked on the operation with great vigour."

We should examine that vigour and commitment. Mr. Rowe told us in his report that the average time for remand in 1992 was 57 weeks. Notwithstanding the Secretary of State's statement about the vigour that would operate in relation to remand, the average time of remand went up to 65 weeks in 1993. That is not great evidence of the vigour that I should like to see exercised by those agencies of the law that have responsibility for remand.

Let us remind ourselves that remand involves taking away a person's freedom before that person is found guilty. Let us have more vigour. Let us subject the Secretary of State's statement to scrutiny and ask the Secretary of State to ask the agencies why that vigour has not in effect shown the results that he anticipated in the time limits to which he referred.

Mr. Peter Robinson (Belfast, East): I am grateful to the hon. Gentleman for giving way. I strongly support his view that there have been undue delays in bringing cases to court. Many people wait more than two years before they get their day in court and some never get to court as their cases are dropped before they get that far. Nobody could approve of that. Has the hon. Gentleman considered the two possibilities in the Rowe report—that in one set of circumstances the accused would be allowed bail after a given period or, alternatively, that the case would fall altogether? Which of those two does the hon. Gentleman support?

Mr. Mallon: I have to be honest and say neither. If I wanted to make a debating point, I would have chosen one of them, but the Secretary of State committed himself one year ago when he said:

> "A more satisfactory assessment will be possible in the light of a full year's operation of the scheme. Then we shall able to address Lord Colville's proposal for a new scheme of time limits, statutory or otherwise, to cover all those on remand and custody for the indictable offences. That is an important factor."

I agree. Surely the only satisfactory solution is not to have a statutory time limit—which I believe applies in Scotland —or an arbitrary limit whereby after a given period the person is released irrespective of what evidence may have been accumulated, but an arrangement whereby the agencies adhere to the time limit set down by the Secretary of State, which was 38 weeks plus 14.

My second question relates to recording interviews. Lord Colville recommended video recording. Mr. Rowe recommends audio recording; he says that he has no view on video recording. I trust that he will develop a view before the substantive report is made for the five-year review. The Chief Constable opposes it. He seems to be fairly lonely on that issue, because I have not met anyone in the system who does not see the merits of it.

In his report, Mr. Rowe refers to the amount of compensation for allegations of ill treatment and so on in interrogation centres. He makes the point that some of it may be finding its way into the coffers of paramilitary groups. But surely one of the sound ways of preventing that is to have the type of video recording about which he has no view. It is there as a protection not just for the individual but for the police themselves against allegations that might be unfounded and is worth serious consideration.

The Law Reform Commission of Canada, when studying that point in 1985-87, said:

> "Aside from providing a new tool for the investigative process, the Police, Crown Counsel and defence lawyers viewed the introduction of this technology as an improvement of the administration of justice. An accurate video tape record of police interviews largely eliminates court room conflicts over what was said and how an accused was treated. The new technology, therefore, helps police in gathering evidence at the same time as it adds protection to the rights of the accused."

I think that that opinion, substantiated by Lord Colville and supported by Mr. Rowe, is one which the Secretary of State should look at again. We must question Sir Hugh Annesley's view on that, because it is not enough to say that he is head of the police and that he is the person ultimately responsible. His views must be challenged as well. If we are to get to the root of much of the apprehension that exists about holding centres, that surely is one of the ways to do it. That is the way in which to protect the police as well as the person in custody.

I refer now to the intimidation of lawyers which is cropping up. Some instances have been referred to me in my work. I cite the case of a law firm in Newry called Fitzsimons-Mallon and—I have forgotten the other name. The Mallon is no relation. I shall supply the rest of the name to the Secretary of State. Some of the most scurrilous allegations are alleged to have been made by interrogating police officers to clients of that firm. It has made its complaint to the police. I ask the Secretary of State to ensure that that does not happen within the legal process, because if such allegations are continually made, there is something in the air, and responsible solicitors will not contact my office or anybody else's unless they are fairly sure of their ground—fairly sure that the allegation is not a concoction, and has, indeed, been made.

My third point is about compensation for those whose businesses or homes might be affected by the security forces. A year ago, the Secretary of State gave a commitment:

> "I shall see whether it is possible to devise and implement a fair and practicable scheme which would help them, but that cannot be done quickly."—[*Official Report*, 8 June 1993; Vol. 226, c. 155-60.]

A year has elapsed since the Secretary of State gave that commitment. It is right and proper that we should ask him whether he has been able to do so, and in a way that will show results.

There is a bakery in my constituency which goes back to 1903 and which is now surrounded by a police base. It needs to expand but cannot, for the simple reason that the police have taken the land that it would need to do so for use as a heliport. Its entrance is now guarded by the Army, and its lorries must go through it as though they were going into a police state. That bakery has been offered no compensation for the fact that it cannot run its business properly. In the light of the commitment that he made last year, I ask the Secretary of State to examine that case; indeed, there are many cases throughout the north of Ireland in which compensation is justified.

My final point relates to detention for up to seven days. I have considerable reservations about that, mainly because of something that was said in the House of Commons in October 1983 by the then Home Secretary. Leon Brittan said that the power of detention had acted

> "first, as a deterrent to persons other than the people who have been detained".

A Home Secretary was telling us that it was right that people should be detained in order to deter others, through a process which is a derogation from the European convention on human rights. Secondly, the power had

> "enabled information to be obtained that was of direct value in the battle against terrorism, even though it did not lead to action against the people concerned."—[*Official Report*, 24 October 1983; Vol. 47, c. 55-6.]

That is what a Home Secretary said, on the Floor of the House of Commons, about the use of powers of detention under the PTA and the Northern Ireland (Emergency Provisions) Act 1991.

Surely we have a right to be concerned when such a motivation is put on record on the Floor of the House as a justifiable reason—two justifiable reasons—for the use of seven-day detention powers. In the cases that were specified, the detentions did not result from the activities of the people involved but were intended to act as a deterrent or to trawl for information.

I do not know whether that is still happening, but I am concerned about the figures. In 1993, 1,641 people were detained in Northern Ireland under the PTA; 379 were charged and 1,262 were released without charge. I know the difficulties faced by the police: I know that those involved in terrorism sometimes cannot be broken down, and may leave the police station after the relevant period with a smirk on their faces, knowing that they have avoided charges. I recognise the problem of a police officer who knows that the person sitting across the table either organised or carried out the most heinous crimes, and also knows that he must release that person after seven days.

Nevertheless, there is something wrong in those figures —something questionable. I do not know what it is, but I ask the Secretary of State—in the spirit in which I began —to subject them to as much scrutiny as possible. It would be intolerable if the legislation were used for the reasons given by the then Home Secretary.

I welcome this opportunity to deal with some of the points raised by the motion. I think that we should do this, and do it as honestly as we can. There is something that will survive IRA and so-called loyalist terrorism—the high standard that we have set ourselves in this country and in Ireland, which is worth protecting.

9.48 pm

Rev. William McCrea (Mid-Ulster): Once again, we gather for what some consider a ritual debate on the Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order. Since our last debate, violence and murder have not only continued unabated but increased dramatically. Therefore, it is appropriate for elected representatives in the House from both Northern Ireland and the rest of the United Kingdom to question why there is such a deplorable and deadly situation.

I read the morning view in a local newspaper, which said:

> "Evil forces are at work in our community who have got to be confronted head on by the Government and by those tasked with law and order in our Province.
>
> Innocent people must be protected as they go about their normal business. The RUC and the army have got to switch the emphasis to providing proactive rather than reactive security . . . The troubles have plagued the people of Northern Ireland for 25 long years. There can never be an acceptable level of violence and even one more day of terror is a day too much for a people who have endured more than their share of suffering."

I concur with those remarks. When one reads that, after 25 years of terrorism in our Province and in the United Kingdom, one fact is clear. It is beyond dispute that the

[Rev. William McCrea]

so-called and much-heralded peace policy purported to be the real answer to our ills has failed abysmally. The debate and the renewal of the Act are proof of that stubborn fact.

On 9 November, my hon. Friends presented proposals to the Prime Minister. During that meeting, the Prime Minister said that he was not rejecting those proposals, as many of them were in accordance with his own views. However, he said that he had a quicker and a more certain way in which to produce peace and a quicker way in which to bring an end to terrorism. That process was the one on which he had embarked with the Dublin Government. It was promised that the London-Dublin discussions would produce the peace prize for which every sane person yearned—and yearns. We were all assured by the Dublin Government that we would have peace by Christmas. The SDLP said that we would have peace within a week, then by Christmas, then by Easter, then after Easter. Now it is a prize well worth waiting for.

Of course, we must not forget that, in our constituencies—certainly in mine, for yesterday I again stood at the graveside of a young, gallant member of the security forces—the murder, the slaughter, the carnage and the torture of innocent people continues. In reality, the so-called peace process, in which many are engaged, is in my opinion and in the opinion of many in the Province nothing more or less than bogus and a deceit. The overtures to the IRA-Sinn Fein murderers have continued, while Northern Ireland has been savaged by terrorism.

Yesterday's murder of a young Shankill road man in the centre of the city of Belfast brings the total of murders this year to 32—three more than last year. Yet we are supposed to be in the midst of the peace process. We are supposed to be in a time of expressions of peace from the IRA-Sinn Fein. The galling fact is that, while innocent victims lie on the street, the media parade animals on our television screens talking about their efforts for peace. Yesterday, I stood once again in my constituency at the open grave of a young soldier, one who was 19 years of age. My eldest is 21. That soldier was only a boy, who was walking the streets of Armagh. That boy was taken and was not only done to death—not quickly because, even for them, that would have been too little—but was tortured in the most despicable way.

Can anyone here understand the pain of a mother or father whose son is murdered? Can anyone really understand the anguish in the heart of a mother when she realises that her son was taken and, while she was lying in her bed, was tortured and parts of his body rent asunder while the very people who parade on our television screens are, we are told, involved in a peace process? The Secretary of State tells us that, in a short while, if they lay down their weapons, we shall draw a line in the sand. Can anyone imagine what that does to a mother?

Let us bear in mind that, a year ago, the young boy of 19 walked down the same road that we walked along yesterday, carrying his brother in a coffin. His brother had been murdered by the same scum that murdered him. That is not all. Thirteen years ago, that boy's granny—an old woman—was blown to bits by the IRA so that family, who are my constituents, have lost a granny, a grandson of 22 and a boy of 19.

What was that young boy's crime? His crime was to put on the Queen's uniform. He wanted to protect the law-abiding citizens of our community, Protestant and Roman Catholic. He wanted to provide a better life for them and believed that he had a duty to do something to ensure the safety of the people of the Province. It is a duty that some people criticise from their armchairs, but they themselves would never do anything to provide that protection for the community.

The hon. Member for Kingston upon Hull, North (Mr. McNamara) said that the security forces were in fact representative of only one community in Northern Ireland. In all the years that he has been shadow Secretary of State for Northern Ireland, he would have done well to have called, at the Dispatch Box, on members of the other community to join the security forces and protect the people, instead of using every opportunity to gut and cut asunder the efforts of brave and courageous young men and women who have joined the security forces and defended the right to life. I salute all members of our security forces for their bravery and courage.

It is all very well for hon. Members to sit here in these beautiful surroundings, on the green Benches of Westminster, but let me tell them where some of the boys whom I represent are. They are lying behind a ditch or walking the roads while the snow is on the ground, the hail beats down on them or the rain soaks them. They are certainly not doing it for the money because no one could say that ordinary soldier boys are overpaid. Those young lads operate not in the comfort of the House but along the border. They are in areas where to put on the uniform means danger, but not to put on the uniform means the surrender of law and order to the terrorists.

Dr. Joe Hendron (Belfast, West): The hon. Gentleman used the word "scum". I totally agree with that description of the people who tortured the young soldier from Cookstown and brutally murdered him, and with the other strong language that the hon. Gentleman used. But would he also use the word "scum", as I certainly would, to described the so-called loyalist paramilitaries, who have also taken young people out and brutally tortured and murdered them?

Rev. William McCrea: I know exactly what it is not to sit away from terrorism, but to feel terrorism. No terrorism has any glory in it. There is nothing delightful about any terrorist and nothing courageous about terrorism. I know, because in our family we have experienced the reality of terrorism not once, not twice, not three times, but more often. I know what the reality and the curse of terrorism is.

Because I know what terrorism does, and I know about the blight of terrorism in the community, I believe that we need to take the actions that will destroy terrorists. We should not parade them on our television screens, as if in a matter of three months of decontamination they could be looked upon as something other than the terrorists that they are. I do not buy that argument when I think about Reggie and Nigel McCollum and the lady in Dungannon. I do not buy it when I think about young Fred Anthony, or about little Emma, who is fighting for her life at this moment.

After standing at the graveside yesterday I went to the home of Emma Anthony and sat with the family there. Does the House really know what that is like? She is a little girl of three. If the look or the picture of a wee three-year-old child does not touch the heart of the terrorists, does anybody think that, because of a few appeals to them, a few pats on the back, the idea that they will become gentlemen if they just lay down their weapons, they will turn from their vile and evil deeds?

I believe that if the people in IRA-Sinn Fein are thinking anything at the present moment it is how they can advance their position politically. It is not that they are sick of terrorism, or of the vile deeds that they have done. It is not that they are ready to repent for what they have done within the community. No, they are behaving in a certain way because they believe that they have a better chance than ever before, and that they will get rewards for their deeds—because they have been able to bomb their way to a place at the table.

Like every other Member of the House from Northern Ireland, I entered the House not through the bomb or the bullet but through the ballot box, and through honouring the ballot box. Yet what have we seen? We have seen the sickening appearance of the Government dealing through the back door, in my opinion contemptibly and disgracefully, in betrayal of the gallant men and women who down through the years have made the ultimate sacrifice in the battle against terrorism.

What do we find? We find that Government agencies and Government people are negotiating with, talking to, and in cahoots with, the terrorists behind the scenes. On 29 November, after many months and years, our Government were found to be involved in that process, through certain contacts with the IRA. The revelations came shortly after our Prime Minister said at the Dispatch Box that his stomach would turn at the thought of negotiating with the IRA-Sinn Fein.

To find out that those contacts were already taking place on the very day on which that statement was made, proved to the vast majority of the people of Northern Ireland the utter duplicity of British Government policy towards the Province. The declaration is a declaration addressed to the IRA-Sinn Fein. No consideration was given to the long-suffering, heartbroken majority of our Province.

The other day, I heard some folks say that the same offer is on the table for the loyalist terrorists. I must challenge that because I remember a meeting that I held with the Prime Minister and my colleagues, the leader and the deputy leader of my party. At that meeting, I asked the Prime Minister why the Secretary of State, in the speeches that he was making throughout the Province, said that if the IRA-Sinn Fein turned its back or put down its weapons, there would be a place at the table for it. Why did he not mention the UVF, the UFF, the UDA and the Red Hand commandos? I found the answer interesting. The Prime Minister said that in discussions he had had with others, it was evident that the UVF, the UFF, the UDA and the Red Hand commandos would not have a mandate from the electorate but that Sinn Fein did, so it could not be treated in the same way.

The Prime Minister also said that loyalist violence was only reactive, not proactive, and therefore it was believed and perceived that the Government had only to address the IRA terrorism and all other terrorism would cease. In other words, the Government had only to buy off the IRA—there was no need to buy off anyone else because the violence would automatically stop.

No credence is given to the concerns and alienation of the loyalist people until the statistics change. That is what is so sickening about it all. The only time that one is recognised and one is told that one can get the same treatment is if one starts to murder—if one starts to put up one's statistics and beats the other boys at the same game. In other words, the only thing that one needs is proof—the only time that people will listen is when one murders. That is the law of the jungle, but it is not the law of the United Kingdom and it is not the law of democracy. *[Interruption.]* The hon. Member for Newry and Armagh (Mr. Mallon) should not be laughing.

Mr. Mallon: I thank the hon. Gentleman for giving way. I do not find it funny at all; I find it terribly pathetic.

Rev. William McCrea: I would wipe the sneer off the hon. Gentleman's face. I can assure the House that while the murder was in the hon. Gentleman's constituency, he was not standing with me yesterday in Sandholes; nor did he visit the family of the young boy who was brutally done to death.

It is evident from the fact that, after all these years, we are still talking about emergency and prevention of terrorism provisions that we are in an unholy mess and tragedy. The price that the IRA demands may be offered by the Government, but that will not decide the matter because they are not in a position to make the offer. The people of Northern Ireland will have the final say. The feeling of frustration and alienation within the majority community has been dismissed by many as rabble rousing, yet I wonder what it will take before the truth of the situation is faced.

The other day, Mr. Adair was lifted in the Shankill road. I shall not enter into his case because it is sub judice. We were told that that was the first time that such legislation had been used and the essence of the charge is that he is supposed to have been directing terrorism. What about Mr. Martin McGuinness from Londonderry? What about the mountain of evidence produced on two television programmes against him for directing terrorism? He has not been lifted under the legislation—oh no, that will do for the Protestants and the loyalists—but we know why. I asked in the House why Mr. McGuinness was not lifted immediately after Roger Cook's two television programmes. Let us remember that Mr. Cook was very courageous even to put them together. The Government could not let Mr. McGuinness be lifted because he was fronting their IRA-Sinn Fein connection and doing deals in back rooms, so they could not touch him. Is that fair execution of justice? It seems rather strange.

The Government introduced legislation on incitement to hatred. It is interesting that it was used only against another loyalist. Would anyone suggest that many speeches by IRA members—whether wearing hoods in Carrickmore or standing on a stage to be photographed—were an incitement to hatred although the legislation was not used? There is a feeling of alienation within the community. The position of democratically elected politicians, especially in the Unionist community, is being undermined and demeaned and murderers are being elevated.

I trust that the House will pass this legislation. It is a sad reality that we need it after all these years because we ought to have defeated the enemy. Unfortunately, if one talks to such people in back rooms, behind doors, one cannot be expected to defeat them. I and my colleagues will join hon. Members who support the legislation in the Lobby, but I must say that I long for peace with all my heart. My constituency, like others, has been ravaged by terrorism, but there is still a belief that one can buy off terrorists.

Sir Patrick Mayhew: I have been reflecting on what the hon. Gentleman said about prosecution and the lack of it. Will he tell the House openly whether he is asserting that the Chief Constable of the RUC and the Director of Public Prosecutions are politically motivated in the exercise of their functions and are other than independent?

Rev. William McCrea: Can I say to the Secretary of State in reply—

Sir Patrick Mayhew: Just answer the question for once.

Rev. William McCrea: With the greatest respect, Madam Speaker, I suggest that you are in command of this debate, not the Secretary of State.

As far as prosecutions are concerned, the question is still unanswered. Who is guilty? I do not have the information. Will the Secretary of State tell the House why Martin McGuinness is not behind bars tonight? Will the Secretary of State tell the House why Martin McGuinness could not be arrested after two damning—I use the word properly—programmes with a wealth of evidence? Why was he not before a court? I had a constituent from Mid-Ulster—a loyalist—and Roger Cook did one programme in which he was involved. My constituent was lifted the morning after the programme, interviewed and sentenced to imprisonment in Magilligan prison.

If it was right—the Secretary of State will be able to answer the question far better than I—that there has been hokery-pokery, no one in the Province will believe the Secretary of State. No one believes that Martin McGuinness should not at least have been arrested after such evidence was gathered. After talking to members of his own Northern Ireland Office, I can tell the Secretary of State that that is believed there as well.

I suppose that it is difficult to say that because there might be a rampage to find out who speaks to me from either the Secretary of State's private office or the Northern Ireland Office. The Government would more concerned about that than they would be about finding out whether McGuinness was responsible for murders and for directing terrorism in the Province.

Mr. Ken Maginnis (Fermanagh and South Tyrone): Is not the point which the hon. Gentleman is making not so much whether we should question the competence of the Chief Constable or of the Director of Public Prosecutions, but whether McGuinness should not at least have been arrested and questioned after the two programmes? Should not questions have come from the Northern Ireland Office as to why McGuinness, with a wealth of evidence against him, was not arrested and questioned?

Rev. William McCrea: I accept whole-heartedly what the hon. Gentleman said. I raised the question in the House during an earlier debate and I am still waiting for a reply —it may be lost in the post. Perhaps I can look forward to the Secretary of State telling me why, after two major programmes which went out across the airwaves, Martin McGuinness has not been questioned. If one considered the question, one would have to say, "How could he have been questioned when he was the front man for the terrorists in their negotiations through the back door with the Government?"

Mr. Peter Robinson: Is not it the case that, arising from the programmes, Roger Cook's team presented the security forces with the evidence, including sworn affidavits from people who were witnesses to Martin McGuinness's involvement in terrorism? The security forces therefore had the evidence in their possession and, at the very least, should have brought him in to question him.

Rev. William McCrea: I thank my hon. Friend for his intervention, with which I whole-heartedly concur. I know that the Secretary of State has also heard my hon. Friend's remarks and the evidence that he has presented to the House and that the right hon. and learned Gentleman will keep that in his thoughts when he is replying to specific questions. I can assure the House that the Province waits with interest to find out what the Secretary of State's response is.

I conclude my remarks by saying that, for the people I represent, the violence, murders and destruction go on. Can anyone understand what it is to visit their homes? They ask, "When will it end?" Unfortunately, under the present policy of the Government, the end is certainly not in sight.

10.19 pm

Mr. Menzies Campbell (Fife, North-East): Few hon. Members can match the passion or direct experience of the hon. Member for Mid-Ulster (Rev. William McCrea) and I do not intend to try. However, even if one does not bring to these matters that same passion and experience, that does not excuse the House from considering carefully the terms of the proposal before us and, in a responsible way, reaching a proper conclusion on whether the provisions should be renewed yet again for 12 months.

If there is a Division, I shall advise my right hon and hon. Friends to vote for the order. We shall not do so with great enthusiasm but rather because we regard it as a regrettable necessity. Indeed, we shall vote for the order with considerable reservations because we profoundly believe that the rights, protections and civil liberties of all United Kingdom citizens should be the same wherever they live and that only in the most unusual circumstances can a departure from those principles be justified.

On the evidence that we have heard in the debate so far, quite apart from our own knowledge, I must conclude that the circumstances still obtaining in Northern Ireland justify renewing the order once again. Indeed, they justify powers that, in other circumstances, might be regarded as draconian. Those powers should not be maintained for an instant longer than is necessary. They should be grudgingly tolerated and we should work, with all the power available to us, to withdraw them at the earliest possible date, for they represent a serious incursion into the rights that citizens throughout the United Kingdom are entitled to expect.

The powers continue to be justified only because the cancer of terrorism still lies at the heart of life in Northern Ireland. They will not eliminate that cancer; at best, they may contain it. Unless and until a political settlement that commands the support of the whole community of Northern Ireland is achieved, we are likely to continue to face the kind of terrorist outrages that so affect our judgment of these issues.

As always, I listened with interest to the speech of the hon. Member for Kingston upon Hull, North (Mr. McNamara). I was sorry to hear him say yet again that, because of the existence of the power of internment and certain defects in the legislation, he and his party are not disposed to support the order. I am surprised because I should have thought that, at a time when the joint declaration has been published and the clarification sought has been provided, a unilateral act by the British Parliament to withdraw those powers would appear singularly inappropriate.

I assume that, in pressing the motion to a Division, the hon. Gentleman hopes—perhaps even expects—that the Government will be defeated. The logic of that position is that, were he to win the vote, those parts of the order that he supports and acknowledges are necessary for the security forces would be denied to the security forces after 16 June this year. I have great respect for the hon. Gentleman, but it is an unusual position to adopt in the light of the present circumstances and the logical consequences of his position.

Mr. McNamara: Does the hon. and learned Gentleman believe that internment and detention without due process of law undermine the legitimacy of the state in whose name they are perpetrated?

Mr. Campbell: Certainly, were it to be in use. The point to which the hon. Gentleman fails to give sufficient weight is that, although the power exists, it is not being implemented. Were the power to be implemented, my judgment is that its use would be counter-productive. It might give rise to the kind of response from certain parts of the community in Northern Ireland that the hon. Gentleman predicts.

I return to the question of logic. When the Division is called, if the hon. Gentleman succeeds in what he sets out to do he will deny to the security forces those powers that he says they are entitled to have. That seems to me to be quite a difficult position to sustain, particularly at this time.

I make a number of criticisms of the existing arrangements. In relation to Diplock courts, I believe that there is a compelling argument to have not a single judge, but three judges. I believe that insufficient use has been made of section 27—the charge of directing terrorism—to which some reference has been made already. I think that efforts should be made to ensure that the power is utilised impartially and more effectively.

With regard to the confiscation of the proceeds of terrorist-related funding, it seems to me that the House might well be entitled to ask the Secretary of State what has happened in the past 12 months and whether he is satisfied that the existing powers are adequate to deal with the problem.

Mr. Harry Barnes (Derbyshire, North-East): If there are all these reservations about the order, how will we amend it? We have an order on a take-it-or-leave-it basis. If it is offensive in some way, we could reject it and ask the Government to produce a fresh order before the date that it is required.

Mr. Campbell: I doubt whether the last part of the hon. Gentleman's suggestion is feasible in the time scale available. He is quite right to say that it is an unamendable order. If his argument is that we should legislate for Northern Ireland in a different manner, he will find ready support from me.

I return to the point I made earlier. At this time, is it to be seriously argued in the Chamber that the House should say to the security forces that they cannot have powers that it is unanimously accepted on both sides of the House are powers they ought to have?

My view is rather different from the Secretary of State's on the question of taping interviews. This is not a matter upon which one ranges one individual against another and says, "Take your pick". Sir Louis Blom-Cooper, Lord Colville and Mr. Rowe have taken a different view on the question whether interviews should be either audio or video taped. Clearly, the Chief Constable's view carries great weight, but sometimes those who stand back and who are not directly in the front line of these matters are in a position to have a more objective and informed view.

There are a number of other aspects on which, if time permitted, I might express criticisms of the legislation. However, I know that hon. Members on both sides of the House—some with more direct knowledge of these matters than I—wish to speak. At the outset of my remarks I described the order as a regrettable necessity. On that footing, I believe that it is entitled to the support of the House.

10.27 pm

Mr. David Trimble (Upper Bann): As some hon. Members have said, this is a rather ritual occasion which does not really provide an adequate substitute for proper scrutiny by the House of the operation of the legislation. I still believe that at some point we shall have to consider how to scrutinise the legislation in a better way.

While it is a ritual occasion, it still has its surprises. I must record that I had at least one surprise this evening when—if I heard correctly, and I hope that I did—the hon. Member for Kingston upon Hull, North (Mr. McNamara) suddenly said something at the end of his speech with which I profoundly agreed, and something that I had never heard from him before in any debate. He seemed to announce that his party had commissioned a study of the effectiveness of the legislation, apparently with a view to ensuring that it is more effective. He said that, in so doing, particular regard would be given to the experience in Europe. I am delighted to hear that the Labour party is to undertake a serious study to find out how we can have effective anti-terrorist legislation, with the emphasis on the word "effective". I especially commend the study of the experience in Europe because the Government have much to learn about the reasons for success in Europe in contrast with their own comparative failure.

I wish to discuss some of those reforms, drawing partly on the European experience, which ought to be considered. I shall not refer to the matter at length as I have had occasion to refer to those reforms before, but I shall briefly mention some of them.

The hon. Member for Basingstoke (Mr. Hunter) referred to proposals about hearsay. An excellent speech on the general subject of evidence was made in the other place by Lord Hailsham, the former Lord Chancellor and I believe that he said all that has to be said. I should especially like the Minister of State, the right hon. Member for Westminster, North (Sir J. Wheeler), to read that speech in view of his reply to me the last time we debated that subject.

On the suggestion made by the Chief Constable to extend the powers of authorised investigators, the Secretary of State said that he was reluctant to make—indeed, would not make—so important a change in our criminal justice system. I think that I quote him correctly. But the change has already been made: the right to silence has been abrogated with regard to certain offences. If that

[Mr. David Trimble]

is too important a change to make, does the Secretary of State propose to repeal the provision already in the Act that we are discussing today?

The Act abrogates the right to silence in relation to certain offences. We are suggesting that we extend the abrogation not to less serious offences, but to more serious ones. If it is not right to extend it to the more serious offence of directing a terrorist organisation, why do we have it in relation to the financing of terrorism? The exception has already been made, the precedent has been established and there is no logic in the Secretary of State's refusal to follow that precedent.

On the other hand, I commend the Secretary of State for keeping a sympathetic mind with regard to "wire-tap evidence", as we have used that phrase. The issue is more than simply that of intercepted telephone communication; it relates to electronic surveillance generally. I noticed that the hon. Member for Kingston upon Hull, North had a generally favourable approach to it. Electronic surveillance —eavesdropping—is being used and the resulting evidence is being brought before the court. Indeed, that was one of the major sources of the evidence presented to the court to enable the remand to take place in the one case of directing terrorist organisations under section 27 that was heard by the courts in Northern Ireland as recently as last week. Apparently, some of the evidence is of conversations tape-recorded unbeknown to the suspect, the tape recordings being made by the police officers to whom he was speaking, by means of microphones concealed about their person. Electronic surveillance is therefore admissible without the battery of safeguards that the hon. Member for Kingston upon Hull, North suggested. We need to reconsider that more seriously.

A general welcome has been given to the report of Mr. Rowe. Especially as I was critical of his report on the Prevention of Terrorism (Temporary Provisions) Act 1989, it is only right that I should welcome his report and say that those of my colleagues who have had the opportunity to study it in the short time in which it has been available were impressed by it. I disagree, however, with Mr. Rowe's proposals on the audiotaping of police interviews.

I acknowledge that there is a potential saving here and the potential saving is significant with regard to obviating the need for the voire dire, which is a substantial argument, but Mr. Rowe misses the point. He says that under the present system it is possible for terrorist organisations to ascertain what has been said in an interview. As he points out, that could happen because the interviewee co-operates with the terrorist organisation during a debriefing and also because a copy of the formal record of the interview can be obtained. That is correct. If the interviewee co-operates with the terrorist organisation, a certain amount of information can be obtained.

One of the grounds for police worry is that apparently the police regularly obtain information from suspects who are anxious to conceal that co-operation with the police from the terrorist organisation. I understand that such information is regularly given on the basis that it is not written down and not incorporated in the formal record of the interview. The minute one brings audiotaping into the picture, one loses that co-operation. The police say—and I have no reason to disbelieve them—that this is an important source of intelligence information. It must therefore be given considerable weight. I find more sympathy for the view expressed by Lord Colville in earlier reports on the question of having video but not audio taping. As I have said on previous occasions, I would be prepared to look in that direction if I had to make a choice for an experiment.

Section 27 of the Act deals with the offence of directing terrorist organisations. This was a major innovation of the Act of 1991. Since then, we have complained about the failure to use the provision. As has been said, one charge has at last been brought. I shall not comment on the particular case, which is now a matter for the courts, save to say that we have no complaint about the bringing of the charge.What we do complain about, and what other hon. Members have complained about during the debate, is the apparent immunity enjoyed by the godfathers of republican terrorism.

I do not intend to cover again ground that was covered by the hon. Member for Mid-Ulster (Rev. William McCrea), but essentially the hon. Gentleman is right. Regrettably, the Secretary of State, in his intervention during the hon. Gentleman's speech, did nothing to allay people's suspicions, particularly with regard to Mr. Martin McGuinness. It is ironic that only about 10 days ago—the right hon. and learned Gentleman will correct me if I am wrong—the Secretary of State himself, in a speech in Dublin, described Mr. McGuinness as a leading member of the IRA. In this context, the real question is: why has there been no follow-up, no inquiry? If this man is a leading member of the IRA, as the Secretary of State himself says, he is guilty not only of membership but of directing a terrorist organisation. I do not know anybody who doubts that. The only possible legitimate reason for failing to bring a case against McGuinness is lack of evidence, but why should there be no questioning? Why should there be no attempt to find out and to follow up the material to which the hon. Member for Mid-Ulster has referred?

Then there is Mr. McGuinness's close colleague—Mr. Adams himself. *The Sunday Times* story last week shows clearly that Mr. Adams's close associates in his advice centres in west Belfast were key elements in the recent wave of so-called punishment shootings against people allegedly involved in drugs. One of the persons injured on that occasion said that Mr. Adams's bodyguard was the man who decided whether or not someone would be shot. Has there been any follow-up on that?

In an intervention, the Secretary of State asked the hon. Member for Mid-Ulster whether he was suggesting that the Chief Constable and the Director of Public Prosecutions are not impartial in respect of these matters. I am disturbed by a Northern Ireland press report from what I regard as an authoritative source. This report said that, following the "Cook Report", the RUC in Londonderry wanted to interview Mr. McGuinness, but that instructions came, through special branch, from higher places—the implication was that the source was political and not the Chief Constable—that he was not to be touched. That is a matter on which I should dearly love to hear the Secretary of State speak frankly.

Then there are the godfathers in Belfast, who are all well known to journalists, to the police and to members of the public. There is the commander of the IRA in Belfast, Mr. Brian Gillen; there is the IRA's Belfast intelligence officer, one of the Finnucane brothers; there is the gentleman who probably planned the Shankill road bomb, one Eddie Copeland. Why have there been no inquiries into those people? Why have they not been questioned? Who grants such immunity? A national newspaper suggested recently that the Minister of State has told the RUC to concentrate on preventing specific incidents and to give lower priority to the targeting of IRA godfathers. Will the Minister of State comment on that in his reply?

The comparative failure to charge under section 27 reminds one of the comparative failure with regard to terrorist finances—a matter mentioned by my hon. Friend the Member for Belfast, South (Rev. Martin Smyth). There have been no cases. Have any accounts been seized? Has any money been recovered? The authorities have claimed that terrorist financing has been disrupted. Here I am reminded of words used in another context: where is the beef? Where is the money? Where are the proceeds? What has been seized? We need some information about that.

There is a matter that touches on the criticism in Her Majesty's inspectorate's report on the RUC. I refer to the suggestion that there was an absence of policing strategy aimed at putting terrorist criminals behind bars. Too much of the present activity appears to be intelligence oriented —aimed at spoiling terrorist operations rather than eliminating or, as the present Home Secretary said, extirpating the terrorist organisations. The reluctance to charge with regard to funding and the reluctance to use intelligence information in court points in that direction —if so, it is wrong and should be changed.

As well as being even handed in the pursuit of terrorists, the so-called "peace process"—I hope that that appears in inverted commas—must also be even handed. Many of us regard that process as being essentially bogus, for it involves making political concessions to terrorism. Not only would that be morally reprehensible; it would not be successful, for to reward terrorism would only encourage more terrorism. It would be even worse to appear to reward one terrorist faction while ignoring its rivals.

The Downing street declaration focuses essentially on the interests of one section of the community and deals only with the interests of the greater number of the community incidentally and by implication. As a consequence, it has presented itself in a lopsided manner to the public in Northern Ireland. That has accelerated what my right hon. Friend the Member for Lagan Valley (Mr. Molyneaux) described in a statement on Friday as the race to achieve a balance of terror.

In that statement, my right hon. Friend said that interpretations of the declaration had missed a significant point in paragraph 10, which explains the consequences that would follow a cessation of terrorism. It draws no distinction between republican and loyalist paramilitary organisations: once a commitment to a permanent end to the use of, or support for, paramilitary violence is established and verified, any such organisation becomes eligible to enter exploratory discussions on how it can, in due course, be considered for participation in the democratic process.

It was on the basis of that reading of the declaration that my right hon. Friend felt entitled to demand an immediate halt to the race to achieve a balance of terror. I would appreciate it if the Minister, in his reply, would comment specifically on that matter, and on the construction advanced by my right hon. Friend. Failure to do so will be seen as endorsing the one-sided interpretation of the declaration and all that that entails. I would hope that the two Governments who set their hands to the declaration have thought the matter through. They have not said how they would expect a one-sided approach to terrorism to work. Have they taken account of the possibility that one reason why republicans have not responded may be fear for their personal survival? I say that to emphasise the need for consistency.

In my view, those terrorists have not and will not respond positively. I say that because the declaration and the recent Northern Ireland Office statement stress that there will be no change in the constitutional position of Northern Ireland without the consent of the people of Northern Ireland. That means that, whatever might be discussed, there will be no change in the fundamental constitutional position of Northern Ireland within the United Kingdom.

By acknowledging the principle of consent, the Irish Government have accepted that the views of the people of Northern Ireland are paramount, but there is still work to be done. The Irish Government have not yet put that principle into practice—that means publicly respecting the oft-repeated expression of the views of the people in favour of the Union. One cannot say that one respects people's views and, at the same time, advance proposals that run contrary to those expressed views. If one says that one accepts and respects those views, one must do so and carry that into practice. It is possible that one reason for the failure, so far, by the Irish Government to put that principle into practice is that Her Majesty's Government's endorsement of the Union has been so muted; that, too, must change.

There was one significant event in the corresponding debate last year—the contribution of the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). He made a powerful speech in which he called for a unified drive against terrorism throughout the United Kingdom, under the control of a single Cabinet Minister directly responsible to the Prime Minister. That view found considerable echo on these Benches. I am sorry to say that, so far, there has been no action and the anti-terrorist drive in the past year has had the same lack of success as in previous years. We should return to that suggestion.

The right hon. Member for Old Bexley and Sidcup also said that the politics and the use of military force must go together—in other words, they must pull in the same direction. Currently, they lack coherence. The root cause of terrorism is the hope and fear that it can achieve change. Force exercised by authority, designed to defeat that by showing it, will not achieve change. Anti-terrorist force cannot succeed if the Government's policies hint at or promote the very change in question. The ambiguity must be removed. The use of police and military force and political measures must be aligned. By all means we can couple that with giving people the opportunity of joining the political process, but that must be done not on a false basis, but on the basis of an honest appreciation of the realities.

If we encourage people to enter politics, we must show that politics in Northern Ireland can work. That means having representative political institutions which can actually do something, in which all who want to can play a meaningful part, and we in the Ulster Unionist party have done so in the blueprint for stability. It is high time that that, too, was taken up by the Government and implemented.

10.45 pm

Mr. David Wilshire (Spelthorne): Tonight's debate is bound to be seen by many inside and outside the House in the context of the Downing street declaration. Some people will inevitably ask whether that declaration makes the order unnecessary. Others will ask whether the order will make the peace process more difficult. However, those are not the key questions. For me, the declaration is relevant tonight only in so far as it offers one possible route to a permanent end to violence. That and only that will make the order unnecessary.

I am totally persuaded that a permanent end to violence must come first and Labour's refusal to agree to the orders by voting against them tonight plays into the hands of terrorists and signals that violence can pay if one sticks at it long enough.

For me, the key questions when deciding how to vote tonight are not about the peace process or the theory of democracy but are quite simple: is terrorism currently continuing and will the order help to counter it? Nobody who follows the events in Northern Ireland, whether living there or from across the water, can be in any doubt at all that the answer to the first question, "Is terrorism continuing?" has to be an unequivocal yes. We have heard the statistics tonight. There have been 32 murders since the declaration was signed. That is more than in the same period last year before the declaration.

We are not only talking about murder: extortion, intimidation and maiming continue. The 32 deaths are simply the tip of the iceberg. Terrorism continues and we have to address it, whatever is happening in the peace process. I am persuaded that the answer to the second question, "Will the order help to counter terrorism?" is also yes. The Secretary of State set out the case earlier this evening. It fits with my knowledge and experience. I accept that the order is necessary and I will not repeat the arguments again at this time of night.

I am only too well aware that some people would dispute my conclusions. There are those within the Labour party who believe that such powers make violence worse and that the order would lead to the abuse of power. Worse still, there are even some people in the Labour party who believe that the orders turn us into terrorists as well. Year after year, those same Labour Members have voted against these orders. That is a complete and utter disgrace. I hope that they sleep soundly in their beds, because if I opposed the orders, I would feel that I was condoning murder, maiming and extortion.

I shall spend a moment answering each of what I consider to be bogus points. The first allegation that is made against people who say as I do and vote for the orders is that it will make violence worse. As I understand the affairs of Northern Ireland, it was not the orders that caused the violence; they came about as a response to it. If I understand anything, the violence has been going on for 25 years. Yet these particular powers date back just three years, and others for 16 years. It was only after trying for nine years without them that the House took action. I believe that that is the answer to the hon. Member for Newry and Armagh (Mr. Mallon), who said, "Beware of knee-jerks." Given the nine-year delay before taking those powers, I do not judge them to be remotely a knee-jerk reaction: they are the inevitable response to people who will not respect the rule of law and the discussions in this House.

Mr. Mallon: Would the hon. Gentleman like to re-examine what he said recently—that those who oppose the Bill condone murder and extortion? In the light of the responsible attitudes that have been shown down through the years from this side of the House, would he like to rethink that statement and reflect on the enormity of it?

Mr. Wilshire: I will always reconsider what the hon. Gentleman asks me to. I do not doubt or question for one moment his sincerity and views. Similarly, I hope that he will show me the respect of believing that what I say is what I believe. I will reconsider, but I very much doubt whether in the morning I will wish to rephrase what I said.

The second allegation is that the order will offer a cloak for further abuse of power. We are all well aware of the allegations that are made about the abuse of physical and legal power, and I see no need to repeat them here. But we must also all be aware that the Government have responded to those allegations by setting up the opportunities for people to complain, for investigations to be carried out and for public reports to be made. Earlier in the debate, my right hon. and learned Friend the Secretary of State responded to that process. He made announcements; he announced decisions. I believe that they will go a long way to reassuring the people who are prepared to consider such issues with an open and fair mind.

The third allegation is that the order makes us as bad as terrorists. It is all too easy to deliver lectures on the theory of democracy from the relative comfort of the House and the relative safety of the mainland, but I judge that psychopathic murderers, be they acting in the name of Catholicism, Protestantism or anything else, are not amenable to rational argument and democratic debate. It was not the state that recently murdered an elderly woman. It was not the state that recently maimed a three-year-old child. It was terrorists and terrorism. No lectures on democracy will wipe those facts from the history book.

At the outset, I rejected any attempt to put tonight's debate in the context of the Downing street declaration, but there is one context that I hope that the Government may be willing to think about and act on as quickly as possible. I believe that we could and should make the future renewal of these provisions part of a package that is designed to do not the one thing that happens at the moment, but two things. The first thing that it should do—as we have been doing each year and will, I hope, continue doing until terrorism is overcome—is make it clear that we in this House are determined to resist debate by semtex, and that we are determined to prevent change coming via the barrel of a gun. But I hope that the second part of a package for future debate will present an opportunity for democratic debate in a locally elected forum in Northern Ireland. I hope that the package will ensure that there is real and proper scope for change by peaceful, agreed consent.

I support the order—perhaps with some regret, but none the less willingly. I support the belief that terrorism must never be allowed to pay or be seen to pay, or be supported by any hon. Member, regardless of political persuasion. I would support proposals to allow the people of Northern Ireland to settle their own future, through democracy, in their own Province.

10.55 pm

Dr. Joe Hendron (Belfast, West): I did not intend to speak, especially after the excellent analysis of the legislation presented by my hon. Friend the Member for

Newry and Armagh (Mr. Mallon). I am prompted to do so by the speech of the hon. Member for Mid-Ulster (Rev. William McCrea). He used powerful language to condemn the murder in Armagh city of a young soldier from Cookstown, and eloquently described the funeral and the effect on the family; he used the word "scum".

In an intervention—I thank the hon. Gentleman for allowing it—I said that I agreed: I, too, would use that word to describe the people who had committed the murder. I asked the hon. Gentleman whether he would also use the word to describe members of the loyalist community—the so-called loyalist paramilitaries of the UDA or the UVF. He did not answer my question. I am not criticising him, but I would have been happier if he had used the word in that context.

I am not in the numbers game, but I believe that more people have died as a result of violence in my constituency than in any other constituency in Northern Ireland—or, for that matter, in any other part of these islands. I am talking about people who have been murdered. We have heard a good deal of talk about Sinn Fein tonight; most of its leaders are within yards of my advice centre in west Belfast, as is the advice centre—I hesitate to use the term —of the Sinn Fein president, Mr. Adams.

Not very far away—just over the so-called peace line, but also in my constituency—are the hard men of the UDA and UVF. On both sides of that so-called peace line, there has been a frightening number of murders over the years. Unfortunately, I cannot give the exact number. The people who live there worry every day and every night about their families—their sons and daughters.

I, too, have stood beside the graves into which young people have been lowered, and have seen the tears of families—not only as a public representative, but as a medical practitioner in the area for many years.

I understand the position of the police, and have great sympathy for them. Policing a divided community is fraught with difficulty. However, I must make a couple of comments about the Castlereagh interrogation centre.

I deeply resent any action or legislation that in any way helps a paramilitary organisation, be it the IRA or the UDA. The vast majority of the police are doing their best in very difficult circumstances. But it is a fact that, over the years, people have been assaulted in the Castlereagh interrogation centre, or holding centre; I do not mind what it is called.

I take no pleasure from saying it, but many of my constituents have been assaulted over the years. Some may have been guilty of terrible crimes, but many were not. That is why I make my point about helping the godfathers of the paramilitary to exploit young people and bring them into their organisations.

Hon. Members will remember the Bennett report, produced some years ago, about people assaulted in Castlereagh. The last thing I want to do is undermine the police, but it must be said that in all those years not one policeman has been charged and found guilty of assault in Castlereagh. We are all aware of the number of cases that have been settled out of court.

Police and soldiers carry out searches every day of the week. Such searches are necessary—we all understand that. Very often, information is obtained in places such as Castlereagh. Sometimes, it is correct; but sometimes it is wrong. Often a young person under pressure will not give information about a paramilitary colleague. Instead, he will give information about some other family—he will name some family who are not involved. As a result, police or soldiers will arrive at their house at 5 o'clock in the morning and a search will be carried out.

I understand that. But let me emphasise to the Secretary of State and the House that when such a mistake is made, it is simple for either a senior Army or a senior police person to call to see that family in the following few days to say sorry and to explain that the wrong information had been received. This has to do with the dignity of the family and of young people. Young people become easy prey to paramilitaries. Over the years, I have found that such situations, in which there is inevitable confrontation with the security forces, only lead to young people joining the IRA or the UDA. I am sure that the House will agree that that is what the paramilitary organisations want. They want confrontation with the security forces. That is the history of terrorist organisations around the world. It is important that the Government and those in charge of the security forces should be aware of that.

I totally support the comment of my hon. Friend the Member for Newry and Armagh about the intimidation of solicitors, but I would like to add one point that is a wee bit opposite to it. We all want law and order in Northern Ireland and we want the paramilitaries off our backs. However, as I have said many times over the years, it is unfortunate that the great legal profession in Northern Ireland, for which I have tremendous admiration—the Incorporated Law Society of Northern Ireland representing the solicitors and the Bar Association of Northern Ireland representing the barristers—has never on one occasion that I can recall over the past 20 or 25 years pointed to the harassment or to the beatings that have taken place in Castlereagh. Those organisations have never acknowledged it in any public way—it would have come out in various court cases—which I deeply regret.

I fully understand the great difficulties that the police have and it is fair to say that the people on the ground, including those in west Belfast, will support the police as long as they are seen to be supporting the people on the ground.

11.2 pm

Mr. Harry Barnes (Derbyshire, North-East): I have attended many debates on Northern Ireland over the past six years—probably as many as any other Back-Bench Member. In that time, I do not think that I have ever heard as impassioned a speech as that made by the hon. Member for Mid-Ulster (Rev. William McCrea). I have come to appreciate the problems faced by the Protestant community in Northern Ireland and the violence that is directed towards it. However, there was a very meaningful moment in the hon. Gentleman's speech when the hon. Member for Belfast, West (Dr. Hendron) intervened—a moment to which the hon. Member for Belfast, West referred. He asked the hon. Member for Mid-Ulster to respond in a similar way to the activities of the UFF and the UVF as to those of the IRA. We did not hear such a response.

Although I expect members of the Ulster Unionist parties to stress IRA violence and members of the SDLP to stress the violence of the UFF and UVF, I also expect all hon. Members to stress in their speeches that they condemn all the violence equally. I hope that our attitude is that we are opposed to violence from any avenue—from any sectarian force or any force involved in the state—and that we must seek to stop it together. That is more important

[Mr. Harry Barnes]

than the measure that we are discussing or where we stand in relation to the prevention of terrorism provisions and their extension, whether we are for or against them. Arguments can be made for either case, but, whatever our attitude to the provisions, we should condemn utterly the people involved in violent and sectarian activity, from whichever side it comes. I hope that the hon. Member for Mid-Ulster will do just that so that the passion that he expressed in cases relevant to his own community becomes more broadly based. I would also ask representatives of the SDLP to do likewise.

11.4 pm

Mr. Roger Stott (Wigan): I have listened to almost the entire debate, except when I made a brief visit to the toilet. I listened in particular to the hon. Member for Spelthorne (Mr. Wilshire), whom I have known for many years and whom I respect. I hope that on reflection, in the cool of the morning, he will feel it necessary to withdraw or at least to amend some of his comments which, I believe, were directed either at the Social Democratic and Labour party or at myself and my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara). I shall deal with that matter in a moment.

I wish that we did not have to renew the prevention of terrorism Act and the emergency provisions year after year. I look around the Chamber and I think that, apart from the right hon. Member for Lagan Valley (Mr. Molyneaux), only my hon. Friend the Member for Kingston upon Hull, North and I were in the House 21 years ago when the legislation was passed.

Sir Gerard Vaughan (Reading, East): Nonsense.

Mr. Stott: I beg the hon. Gentleman's pardon. Let us say that not many of us were here at that time. In any event, we have witnessed the renewal ever since.

I have listened carefully to the speeches made in the debate and, as is now traditional, we heard the Government recite their standard justification for the emergency powers, despite the fact that the legislation has patently failed to suppress terrorist activity in Northern Ireland.

The hon. Member for Spelthorne in particular implied that the Labour party's opposition to the renewal of the provisions was evidence that we are soft on terrorism. That is a gross misrepresentation of the truth, and I refute it. It is fair to say that all parties and all hon. Members are opposed to paramilitary violence in Northern Ireland. The very nature of the campaign to seek political ends through violence must be abhorrent to any democrats. To suggest that the Labour party in any way condones unspeakable acts of violence is to make a cheap political point of an issue that is too important to be reduced to such a level.

The Labour party is united in condemnation of all acts of terrorism, from whatever quarter they come. We do not disagree with the Government that terrorists need to be defeated and brought to justice, but we disagree on the method by which that objective is achieved. That is perfectly legitimate. Conservatives may not approve, but surely they cannot deny that we have a right to examine what the Government are proposing.

Like my hon. Friend the Member for Kingston upon Hull, North, I support and commend the work of the security services, the judiciary and the prison service, representatives of all of whom my hon. Friend and I have met and will continue to meet. They deserve our support for doing their job in a dangerous and stressful environment.

In a democracy, the duty of the Government is to protect the civil rights of their citizens. If those rights are to be infringed or suspended, there must be overriding and compelling cause.

We accept that there may be a need for emergency powers to counteract the terrorist threat in Northern Ireland. However, we believe that the powers in the emergency provisions Acts weaken the core principles on which civilised society is based. That in itself is of assistance to the terrorists in their evil campaign of violence.

Regrettably, we must continue to oppose the legislation while the power of internment remains on the statute book. In spite of what the hon. Member for Basingstoke (Mr. Hunter) said in his thoughtful contribution, the power of the Executive to imprison without charge or trial is an affront to democratic principles. It places the Executive above the rule of law, and undermines the criminal justice system—the very system that the terrorists are waging a campaign to defeat.

My hon. Friend the Member for Kingston upon Hull, North outlined in detail why the Labour party favours the introduction of video and audio taping of interrogations in the holding centres. As the Government's own adviser has now argued, mechanisms can be established to limit the disclosure of such tapes so as to protect both the detainee and any sensitive information. The introduction of those safeguards in the holding centres would protect the security services from false allegations by detainees, and would immeasurably improve community relations. The safeguard of audio taping terrorist suspects is already in place here in Great Britain, and the Government have still failed to provide a reasonable justification for their refusal to introduce similar safeguards in Northern Ireland.

After listening to the contributions to the debate, and having further considered the report by Sir Louis Blom-Cooper, I tell the House that if the Government again refuse to introduce audio and video recordings, suspicion in Northern Ireland will be compounded. That is all the more important because, as my hon. Friend the Member for Newry and Armagh (Mr. Mallon) has already explained, regrettably the security forces do not have the support of the whole community in Northern Ireland. In order to build up trust and confidence in the forces of law and order and in the judiciary, justice must not only be seen to be done but be seen inevitably to be done.

The is why the Labour party believes that mechanisms to hold members of the security services properly accountable, too, are vital. No one must appear to be above the law. We support the calls by the Independent Commission for Police Complaints for its powers of investigation to be strengthened, to enforce its credibility and effectiveness. Clearly, as has already been said, the reason why so few complaints are upheld against the police and the Army needs to be further investigated. Reforms such as those advocated by David Hewitt and the Independent Commission for Police Complaints need to be considered as a matter of urgency by the Secretary of State.

The Northern Ireland (Emergency Provisions) Act 1973 was passed quickly through Parliament 21 years ago as a temporary measure in extreme circumstances. The very fact that it is still on the statute book is damning evidence of the ineffectiveness of the powers within it. I can tell the hon. and learned Member for Fife, North-East (Mr. Campbell), who challenged my hon. Friend the Member for Kingston upon Hull, North a little earlier, that the Labour party has for some time been calling on the Government to join us in developing a more coherent and effective counter-terrorist policy, with due regard to the basic civil rights of the citizens of this country. Thus far, the Government have refused to countenance such a review.

Rightly, the Downing street joint declaration has been mentioned. It is my view and that of my party—certainly it was the view of my late lamented leader, John Smith—that the declaration is to be welcomed. Indeed, it is the only game in town as a starter for the peace process. It is regrettable that Sinn Fein has not responded more positively to the clarified Downing street declaration.

It is also regrettable that the DUP and its leader have made this an issue in the European elections. The hon. Member for Antrim, North (Rev. Ian Paisley) is stomping around the Province saying that a vote for him is a vote against the joint declaration. On television, when he left Downing street he said that he would be back on 10 June with a mandate from the people of Northern Ireland because he is standing in the election against the Downing street declaration. He is making it an issue.

Mr. John D. Taylor (Strangford): Will the hon. Gentleman give way?

Mr. Stott: No, I will not give way; I do not have time.

If that is the attitude of the hon. Member for Antrim, North, I suggest that he look at page 24 of the Labour party European election manifesto where we clearly state our support for the Government's join declaration. Every Labour candidate who stands in the election will be standing on the manifesto. Labour candidates in the rest of the United Kingdom will get millions of votes for standing on our manifesto which expressly supports the joint statement.

Mr. John D. Taylor: How many votes in Northern Ireland?

Mr. Stott: At the previous election, the leader of the DUP polled 160,110 votes; the Labour candidates polled 6 million votes. We will probably do even better than that; we will probably get up to 8 million votes. If the DUP wants a referendum on the joint statement, the Labour party will give them one.

Mr. Peter Robinson: Can the hon. Gentleman tell us how many votes the Labour party got in Northern Ireland in the last election? Does the issue of consent mean anything? Is the Labour party looking for the consent of the people of Northern Ireland? How much consent will his party get in Northern Ireland at the election?

Mr. Stott: The hon. Gentleman knows that the British Labour party does not organise in Northern Ireland, and he knows the reasons why we do not do so. The hon. Gentleman and his party cannot have it both ways. He claims his loyalty and his Britishness. The British people will have their say on 9 June, and they will vote for candidates who support the joint declaration. *[Interruption.]* That certainly livened up the debate.

For the reasons that my hon. Friend the Member for Kingston upon Hull, North and I have given, it is regrettable—I say this sincerely—that we cannot find a consensus in the House on these issues, and therefore we will reluctantly vote against the order tonight.

11.17 pm

The Minister of State, Northern Ireland Office (Sir John Wheeler): I shall forgo the pleasure of a discourse about the relative merits of the manifestos for the forthcoming European elections and concentrate on the provisions before the House.

Tonight, the House has had an opportunity to give its full and open consideration to the powers in place to continue the fight against terrorists from both sides in Northern Ireland. I agree with the hon. Member for Wigan (Mr. Stott) and other hon. Members who have spoken in the debate that, sadly, these powers remain necessary. They will be used resolutely for so long, but only so long, as terrorism persists. They are kept under review and are subject to the annual review process, which we have been debating tonight.

This year, our debate has been informed by the published reports of three independent and eminent figures. All three are welcome and objective reports. They will be studied with care. That such reports are available is a testament to the Government's determination that our security policy and its implementation should be as open as possible.

It is essential that those not involved in pursuing their aims by killing people should have nothing to fear. It is important that they should have confidence in the processes involved in defeating terrorism.

The nine Back-Bench Members who have spoken this evening raised many valuable points and I shall seek to touch on as many as I can in my remaining time. I welcome the support of the hon. Member for Wigan for the joint declaration. At least there is unity in the House about the overwhelming desire for peace in Northern Ireland and an end to the killing.

The hon Member for Kingston upon Hull, North (Mr. McNamara), raised the question of codes of practice. I remind him that statutory codes of practice dealing with civil and criminal proceedings governing the detention, treatment, questioning and identification of terrorist suspects in police custody came into effect on 1 January this year.

My right hon. and learned Friend the Secretary of State has also decided to introduce, under sections 61 and 62, a code of practice to cover the police and armed forces' powers of stop, search and seizure under part II of the Northern Ireland (Emergency Provisions) Act 1991. A draft code is in preparation.

The hon. Member for Kingston upon Hull, North gave as his chief reason for urging that the Opposition should vote against annual renewal the fact that he opposed the continued part played by detention in the 1991 Act. The making of this order has no effect on its availability, which can continue to be activated by separate order unless and until principal legislation removes it from the Act. To justify opposing this order by saying that Opposition Members are against detention is disingenuous nonsense and simply does not wash. When the time comes, I am sure that hon. Members will be clear about that and will have no difficulty in supporting the order.

The hon. Member for Kingston upon Hull, North also referred to video recording of people interviewed in the

[Sir John Wheeler]

holding centres. It is not a question of what the Chief Constable wants. My right hon. and learned Friend the Secretary of State and I have to make very careful judgments. We have to weigh up all the issues. On some occasions, we disagree with what the Chief Constable wants. Earlier tonight, my right hon. and learned Friend announced that some of the Chief Constable's proposals for the review of the law were not acceptable and gave reasons.

On the question of people detained for interview in holding centres, my right hon. and learned Friend and I are convinced that for the time being—we keep the matter under review—there would be grave repercussions for the fight against terrorism if tapes of any kind were to find their way into the legal system. Those in custody would know it and would be fearful of the consequences of disobeying the instructions of their terrorist organisations not to co-operate with the police. That important consideration must weigh heavily with the House.

We have heard from many hon. Members about the horror and evil of terrorism in Northern Ireland and the indiscriminate killing there. It would be a serious error of judgment were we to disregard the level of that violence and the advice which the Chief Constable gives to my right hon. and learned Friend as his principal security adviser.

Mr. McNamara: What is different in principle between audio recordings in Paddington Green police station and those in Castlereagh police station for people accused of terrorist offences?

Sir John Wheeler: I can help the hon. Gentleman with that. I am glad to learn that he has visited Castlereagh holding centre. It is important that hon. Members who are concerned with the issues should be able to see for themselves what goes on in that centre. There is no mystery about the operation of that centre or about the work of the RUC.

I suspect that the hon. Gentleman has not yet had the time to visit Paddington Green police station in my constituency—which I do regularly—and discuss that very point with the police officers responsible for that establishment. The two police stations deal with totally different terrorist situations. People in Great Britain are not being murdered by terrorist gangs because of the information which they give to police. People in Northern Ireland are liable to be murdered by terrorist gangs.

That it is the principal reason why, for the time being, the advice that my right hon. and learned Friend and I are resolved to accept is that we should continue with the present arrangements for the safety of the people who are subject to that interview process.

Mr. Trimble: I wish merely to remind the right hon. Gentleman that he has only two minutes left. I posed a very important question to him concerning the interpretation of paragraph 10 of the joint declaration which he must deal with.

Sir John Wheeler: The hon. Gentleman did indeed raise that very important question which I shall come to at once in view of the time. I can confirm that for our part we stand by paragraph 10 of the joint declaration which calls for

> "a permanent end to the use of, or support for, paramilitary violence. They"—

that is, the British and Irish Governments—

> "confirm that, in these circumstances, democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead."

I confirm to the hon. Gentleman the point which he seeks.

Mr. John D. Taylor: Will the right hon. Gentleman give way?

Sir John Wheeler: I shall not give way now. The terrorists are—

Mr. John D. Taylor *rose—*

Sir John Wheeler: I shall not give way, as I have but a minute left.

The terrorists are a small and unrepresentative minority of the people in Northern Ireland. They are abhorred by the overwhelming majority, both within Northern Ireland and further afield. They have nothing to say. They will not win. It is our duty, and one which we will not shirk in the defeat of terrorism—

It being three hours after the motion was entered upon, MR. DEPUTY SPEAKER *put the Question, pursuant to order [19 May]:—*

The House divided: Ayes 257, Noes 154.

Division No. 258] **[11.28 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Alton, David
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Clappison, James
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Foster, Don *(Bath)*
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil

Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Hill, James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Kennedy, Charles *(Ross,C&S)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lightbown, David
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lynne, Ms Liz
McCrea, Rev William
MacKay, Andrew
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maddock, Mrs Diana
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rendel, David
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Robinson, Peter *(Belfast E)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Bowen Wells.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, D. N.
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Enright, Derek
Etherington, Bill
Foster, Rt Hon Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gerrard, Neil
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Hall, Mike
Hanson, David
Hardy, Peter
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Home Robertson, John
Howarth, George *(Knowsley N)*
Hoyle, Doug
Hutton, John
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mallon, Seamus
Martin, Michael J. *(Springburn)*
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sheerman, Barry
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*

Soley, Clive
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Eric Illsley and
Mr. Alan Meale.

Question accordingly agreed to.

Resolved,

That the draft Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1994, which was laid before this House on 20th April, be approved.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith pursuant to Standing Order No. 102(9) (European Standing Committees).

Milk Quotas (Italy)

That this House takes note of European Community Document No. 6428/94, relating to the application of the milk quota scheme in Italy; and endorses the line that the Government is taking in challenging the proposal that Italy should receive its additional milk quota in full for 1994-95.—*[Mr. Lightbown.]*

Question agreed to.

Statutory Instruments, &c

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.) and Order [10 May].

Metropolitan Railway Grant

That the Special Grant Report (Metropolitan Railway Grant) (House of Commons Paper No. 370), which was laid before this House on 6th May, be approved.—*[Mr. Lightbown.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

Housing Management

That the draft Local Government Act 1988 (Competition) (Defined Activities) (Housing Management) Order 1994, which was laid before this House on 10th May, be approved.—*[Mr. Lightbown.]*

Question agreed to.

INFORMATION

Ordered,

That Mr. Harold Elletson be discharged from the Information Committee and Mr. Rod Richards be added to the Committee.—*[Mr. MacKay, on behalf of the Committee of Selection.]*

Rwanda

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

11.42 pm

Mr. Tony Worthington (Clydebank and Milngavie): Before the House adjourns, I wish to discuss the Government's policy on Rwanda, where we are confronted with a human tragedy on an unbelievable scale.

A few weeks ago, it would not have seemed possible for the world to throw up something worse than Bosnia, Sudan, Somalia or Angola, but it has. The scale of the slaughter in Rwanda is now reputed to be of about 500,000 people. Many hundreds of thousands of Rwanda's citizens have taken refuge in Tanzania and Burundi and other countries that are among the poorest in the world. The Red Cross has described it as the largest single movement of refugees in the history of the Red Cross. Five hundred thousand people is the equivalent of the deaths of all the people in Greater Edinburgh. In terms of the much greater population of Britain, it is the equivalent of 4 million people dying and 16 million becoming refugees or being displaced. Can one imagine tragedy on such a scale in Britain? Moreover, there is no sign that the violence is at an end, and there are major fears that Burundi, which has exactly the same tensions, will explode again. After all, just a few weeks ago Burundi was the major source of our fears about those two desperately poor and unhappy countries.

I intend to be very critical of other people, but it is right that Members of Parliament should start by criticising themselves. An unbelievable atrocity has been going on for months; yet this is our first opportunity to debate it. There has been no Government statement, and as yet the House as a whole has displayed very little interest, despite the fact that Rwanda dwarfs Bosnia in terms of casualties. At the tail end of a parliamentary day, in the minor event of an Adjournment debate, we are able to discuss the issue only because of my luck in a raffle. The luck of the draw determines whether an atrocity in which half a million people have died is debated in the House. We must look at our procedures and attitudes.

We must also admit with shame the racism that is involved. It is inconceivable that an atrocity in which half a million white people had died would not have been extensively debated in the House. In the press there has been a terrible tendency to dismiss these tragic events as just tribalism, with "What can you expect from Africans?" as the subtext. By calling this tribalism, we are, in effect, blaming all the people of Rwanda, whereas it is clear that it is vicious political violence led by the Rwandan Government or their agents. We justify our inaction by pretending that all the people of Rwanda are to blame. Even the United Nations reports that reliable indications are that the killing was started by unruly members of the presidential guard. Tribalism is not a black man's invention. The holocaust was European. Bosnia is tribal, and the Balkans is a powder keg for that reason. South Africa has just emerged from domination by a white tribe. To say, as some have said, that the United Nations should pull out because we cannot understand African tribalism is to invent a cosy excuse for ourselves.

Much of the seeming tribalism of Africa has its roots in European exploitation, which used ethnic groups such as the Asians or, as in Rwanda, the Tutsis as an elite.

Genocide is certainly involved, but the wellspring for it is the lust for political power. If that means wiping out Hutus as well as Tutsis, it is done. The country's Prime Minister and other members of its Government were slaughtered by this element in the presidential guard. We should not see the slaughter in Rwanda as primitive tribalism. It is politics —brutal politics practised overwhelmingly by one side.

There is much evidence that the slaughter by the Rwanda Government was premeditated to obliterate their political opponents, whether Tutsis or Hutus. Like my hon. Friend the Member for Monklands, West (Mr. Clarke), I attended a House of Commons meeting at which the organisation Africa Rights presented to a large gathering its analysis of physical liquidation of the political opposition to the dead President and the present, self-declared interim Government and the genocide against the Tutsi people as a carefully planned strategy designed in advance. No one in the room dissented from that analysis. Do the Government agree that the so-called Rwandan Government are overwhelmingly to blame?

We must not take refuge just in discussing aid— justifying our actions, or inaction, by saying how much aid we are giving, commendable though that may be. This is politics, and it is foreign policy which is involved. What are we doing in our foreign policy to prevent fiascos of this kind and to bring under control those that do occur? We have to condemn the members of the United Nations Security Council for inactivity and ineptitude. As a member of the Security Council, the United Kingdom must take its fair share of the blame. Just why did we back the decision virtually to pull the United Nations out on 21 April? What an encouragement that must have been to the butchers. The world watched horrified, and it took until 16 May for the decision to be reversed. What was our position on that? We know that New Zealand and Nigeria were active in reversing the decision, but what were we doing? Why have the Government not sought to make a statement in the House on this enormous issue? Why did we authorise the withdrawal of the United Nations instead of augmenting the forces? We must have on our conscience the killing of citizens who would have been saved had the UN presence been augmented.

We must also condemn the United States for its strange behaviour in stopping the rapid deployment of troops once the UN Security Council had decided that up to 5,500 troops had to go in. We are suffering badly because of the American miscalculation in Somalia—thousands are now dying because of that procrastination. I hope that the Minister will say when he expects the troops to be deployed. The UN took the decision that those troops were to be deployed. When will they be deployed and from which countries will they come? Did we support the United States in that delay and, if so, why? Is it not realised just how much the authority of the United States is undermined when a UN resolution is passed and then held up by the United States and others?

We must also be critical of the French for their reported role in arming the Rwanda Government, alongside—it is reported—the Egyptians and the South Africans. When they armed the Rwanda Government, they must have known that they were a genocidal Government who would use the arms on their own people. What representations have we made to the French about that, or do we have to shut up because of our own dependence on arms sales?

Above all, we must condemn the Rwanda Government who—obscenely, at present—sit on the UN Security Council. Why is a self-proclaimed Government, who are without authority and are committing genocide, allowed to remain part of the highest authority in the world? Why are they not condemned? What action are the Government and the world taking to express their outrage at the acts of the Rwanda Government, their army and their appalling militias? Why are we being so polite to such killers?

In a parliamentary answer to me, the Minister said that the Foreign Affairs Council appealed to all parties to bring an end to the genocide. He used the word "genocide" and it is admitted that it is genocide, but why does the UN resolution pull back from saying "genocide"? The UN convention on genocide was declared because we were never going to stand aside again: in 1948, the charter on genocide said that we would never stand aside again while genocide occurred. Now we do not even have the courage to use the word in a UN resolution.

Some of what we must do has to be long term. There have been too many UN fiascos like this one. But when we refer to UN fiascos, we must face the fact that a UN fiasco is our fiasco. We cause the UN to be inept. When will we face up to the fact that the UN charter, which states that we can act only through the Government of a country, can be an obstacle to stopping slaughter? Surely there have to be occasions when the UN must act first because the cause of the problem is the Government of the country or, as in Somalia, the lack of a Government. When are we going to give the UN Secretary-General powers to act and, if necessary, justify himself later? We cannot deal with wars or famines through committees that meet occasionally. I gather that the UN Security Council will meet to review Rwanda again not later than 20 June. That is a ludicrous way of conducting business and it helps only those who are carrying out ethnic cleansing. We must also look at the framework of the UN charter.

There seems to be general agreement that the Rwanda Government, and their army and militia, are overwhelmingly responsible for initiating and perpetuating the atrocities. Yet there seems to be some kind of belief that the UN has to be even handed in this matter. Why? We must find a way to give the United Nations Secretary-General his own rapid response force for such situations, so that problems can be nipped in the bud or at least contained —a force of people whose loyalty is to the United Nations, who know the conditions under which they join and who could be deployed instantly and face the risks associated with such a task. The business of touting round the world for troops and then having all the problems associated with incoherent command structures is not good enough. We now need to know the time scale for the deployment of troops.

Just what are we saying at the United Nations Commission on Human Rights emergency meeting which is being held today to debate Rwanda? Is there a Minister there to show the seriousness with which we regard the issue? Are we threatening to activate the 1948 convention on genocide? Has it ever been activated? We are signatories to it. In the 1948 convention on the prevention and punishment of the crime of genocide, we affirm that genocide is a crime under international law which we undertake to prevent and to punish. There cannot be the slightest doubt that the Rwandan Government intend to destroy the Tutsis and any of their political opponents. Has there ever been a clearer example of genocide? What is the point of these conventions if we do not take them seriously?

[*Mr. Tony Worthington*]

Surely events in Rwanda have convinced us that there has to be an international court of criminal justice. The people who set this madness loose have to be brought to trial. At the UN Commission on Human Rights, we need to appoint special rapporteurs as the dimensions of this horror need to be fully documented. The presence of international observers and speedy deployments of civilian police monitors will save lives and document human rights abuses.

I have not so far mentioned aid because I do not want the Government to take refuge in pretending that the world's response has to be limited to aid. I would be the first to mention, however, the wonderful efforts of the Red Cross and all the relief organisations that have acted swiftly and heroically. I mention in particular the 29 Red Cross people left in Rwanda, 10 more living in border areas and the two from Médecins Sans Frontières in France who were left in Rwanda. Their contribution has been simply magnificent. The best tribute that we can pay them is to do our job as they have done theirs under infinitely more difficult circumstances. To mention one example, Oxfam is the lead agency in providing water to 300,000 people at the Benako camp in Tanzania. It beggars imagination how one can try to provide for the needs of 300,000 people in a place where refugees suddenly decide to settle.

The needs will be colossal for months, perhaps years. Will the Minister give us a full report on the scale of the problem and what is being done to fill the gaps in food and other pipelines such as transport, water and provision of materials for shelter? Just what will be the role of the troops in arranging for the free passage of relief supplies and how will the United Nations arrange for the safety of those working for such organisations? Is it intended that safe areas will be established throughout Rwanda and not just in the border areas?

On the preventive side, what is being done to ensure that the problem does not spread to Burundi? Just a few weeks ago, Burundi had the same problems of relationship, which were seen as the major threat. In the face of reports of systematic extrajudicial killings in Burundi, the 1994 session of the United Nations Commission on Human Rights failed to appoint a special rapporteur. What is being done now? In this emergency are we going to pay more attention to what the UN specialist organisations are doing? In my analysis of these tragedies, including the ones that I visited, some organisations, such as the World Health Organisation, consistently underperform. We want to know what is being done to ensure that they perform in the way that the non-governmental organisations perform.

In the long term, we must also look at the underlying causes. The number one underlying cause in this case is that Rwanda, the most densely populated country in Africa, is grindingly poor. I want to hear from the Government about Britain's position in these African tragedies. Why do we seem to be so silent? Just how do we justify our permanent seat on the Security Council when we have so little to contribute in the continent where we were the dominant European power? I look forward to the Minister's reply.

12 midnight

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): The hon. Member for Clydebank and Milngavie (Mr. Worthington) has brought to the attention of the House a matter of great tragedy, and I am pleased to respond this evening to give an indication—I hope that it is a full one—of the Government's position.

All of us share the horror felt around the world at the appalling events in Rwanda in recent weeks. The images of mass killing, butchery, hopelessness and despair go to every heart. The reaction of decent men and women everywhere is that the United Nations should do something —anything—to protect the innocent caught up in the spiral of violence in Rwanda. All of us share the anger and frustration of seeing such things take place without being able to take effective action to step in and bring them to an immediate end. The fighting and the killings are continuing.

The Government's policy is to support all efforts to bring an end to the conflict and to the atrocities, and to give all the help that we can to the humanitarian relief effort. We are playing our full part in the efforts of the international community to achieve those ends.

Mr. Worthington *rose*—

Mr. Lennox-Boyd: I shall move fast to try to cover most of the hon. Gentleman's points.

The United Nations Assistance Mission for Rwanda —UNAMIR—was established by a Security Council resolution in October 1993 at the requests of both the Government of Rwanda and the Rwandan Patriotic Front to monitor the Arusha agreement, which had been signed in August of that year.

Given the political will for peace in Rwanda, the Security Council agreed that a United Nations peacekeeping force should be deployed. There was, at that time, a measure of hope and optimism. The peacekeeping force, therefore, had a clear, carefully defined mandate; it had precise objectives and a timetable of two years, after which time democratic elections would have placed Rwanda firmly on the path to peace and, it was hoped, prosperity. Most important, the force also had the consent of both parties.

The United Nations was asked, and was able to respond to the call, to go to Rwanda because of its greatest asset —its impartiality. It was accepted by both sides and, indeed, was invited in because it was neutral. The experience of Somalia shows how rapidly the United Nations can get sucked into a war once it appears prepared to compromise on that point of impartiality. Its recognised impartiality has enabled the UN to help end conflicts in El Salvador, Cambodia, Namibia and Mozambique. I cannot emphasise too strongly the need for the consent of the leaders of the parties to a conflict for the United Nations to operate successfully.

As we know all too well, the disaster that befell Rwanda in early April made it impossible for the United Nations Assistance Mission for Rwanda to fulfil its mandate. Instead of disarming soldiers from each side in preparation for elections, the UN troops in Kigali and the surrounding areas, who were, of course, only lightly armed, suddenly found themselves in the crossfire of a bloody war. Some of them found that they had become targets, as they witnessed the abduction and killing of 11 of their Belgian counterparts, and four Ghanaian solders have since been killed.

The Security Council was therefore faced with a very difficult decision: UNAMIR no longer enjoyed the consent of the parties to do what it was sent to Rwanda to do. It was not equipped to enforce a peace. That would have required resources that were simply not available. Nor, of course, would it have been responsible for UNAMIR to withdraw altogether.

On 21 April, the Security Council agreed unanimously to maintain a presence of 270 UNAMIR troops and to give it a mandate to concentrate on helping to negotiate a ceasefire, to assist to the extent feasible with the humanitarian relief and to monitor the situation generally. That reduced presence was the maximum that could enjoy consent on the ground.

However, the Security Council continued to follow the situation closely, and the United Kingdom was at the forefront of those insisting that the United Nations should remain engaged to the maximum extent feasible. Our representative at the UN argued strongly that withdrawal would be totally irresponsible. We supported the further decision increasing the authorised strength of UNAMIR to 5,500 and giving it an additional mandate to support and protect civilians at risk and provide security for humanitarian operations inside the country.

It is, however, essential that further deployments are properly planned and executed. As a first step, more than 100 UNAMIR observers now in Nairobi will return to Kigali; the Ghanaian mechanised battalion will also be brought up to strength—800 men. The Secretary-General will report as soon as possible on the next phase of UNAMIR's deployment, taking account of the co-operation of the parties, progress towards a ceasefire and the availability of resources.

I must emphasise that there is no question of UNAMIR's providing an interposition force in the civil war without a full ceasefire between the parties. UNAMIR's task will be to provide a protective presence for civilians caught up in the horrific atrocities. That will require the consent of the opposing factions. The Assistant Secretary-General for Peacekeeping arrived in Rwanda today in an effort to achieve that consent.

The hon. Gentleman asked me which side the Government considered to be most to blame for the atrocities. Rwanda has had a tragic history of ethnic-political violence since its independence. Both the Hutu and the Tutsi have been guilty of ethnic violence in the past. In the current conflict, it appears that the worst atrocities have occurred in the areas controlled by forces of the interim Government, although there have also been reports of killings in Rwanda Patriotic Front areas. It is essential that all in a position to do so take immediate, effective action to halt the killings: we have made that clear to all the parties.

When asking me to apportion blame, the hon. Gentleman must bear in mind the fact that, whatever our personal views, the UN must operate with the consent of the opposing factions. That is less achievable if blame is apportioned by the Government or the UN. It is not a question of being even handed.

In parallel with the deployment of the UN forces, there are political developments. The UN, the Organisation of African Unity and the regional governments have been trying to bring about a ceasefire and relaunch peace negotiations. Those efforts have so far been unsuccessful, but we and our partners in the European Union support all efforts to bring the two parties back to the negotiating table. The Foreign Ministers of the European Union issued a declaration on 16 May expressing their support, and my right hon. and noble Friend the Minister for Overseas Development has written to President Museveni of Uganda and President Mwinyi of Tanzania to express the British Government's appreciation of their efforts. We urge all parties to return to the Arusha agreement of August last year, which still offers the best available basis for national reconciliation.

Although I wish to deal with the political aspect, I must say a word about humanitarian relief. Since the start of the emergency, we have committed more than £4.5 million bilaterally in emergency aid. Initially, we gave support to those fleeing the violence by granting funds, through the British non-governmental organisations Action Aid, CARE and Oxfam, to pre-position relief items in the region and provide medical assistance. Then, following the massive influx of refugees into northern Tanzania at the end of April, we acted very quickly to provide further assistance for those in need, funding two British Red Cross relief flights and a further flight consigning technical equipment and personnel to set up an airbridge in Mwanza to facilitate an increased UNHCR airlift operation. We are continuing to support that effort, and have since provided more equipment and personnel to maintain the operation and ensure its continuing effectiveness. Last week, we agreed to help UNHCR by obtaining, in Britain, a Bailey bridge, which is urgently required close to the Benako refugee camp in northern Tanzania, where the largest number of refugees is located. That will speed up the relief effort. As I said at Question Time yesterday, we have provided the Save the Children Fund with support for its work with the Lutheran World Service in Uganda to collect and bury the bodies that have appeared around the north-west shores of Lake Victoria.

The hon. Gentleman asked me to comment on any possible gaps in the aid pipeline. We are informed that, despite major logistical problems, the world food programme is maintaining basic food supplies into all the refugee camps, which, as at mid-May, contain 322,000 refugees. In addition, it has been moving supplies into north and south Rwanda for another 200,000 refugees and displaced people. That has been achieved by a combination of local purchasing, borrowing from existing emergency operations and by taking advantage of the very generous gesture by the Government of Tanzania, taxed as they are with their own internal drought problems, to advance 5,600 tonnes of maize from their reserves. I am also glad to say that the Overseas Development Administration has agreed to provide United Kingdom-made grinding mills to produce maize flour in support of that, which will be flown to Tanzania very shortly.

This week, an ODA humanitarian assessment mission is visiting the region. It will assess the impact of the emergency aid that we and others have provided and it will determine priorities for future support. It will be reporting back on Friday. Rwanda, especially, is likely to need external help to cope with the longer-term aftermath of the dreadful crisis. When that stage is reached, we shall review the situation with our European Union partners and other donors. A European Union ministerial troika mission to assess requirements is being planned. The priority must be to alleviate the immediate suffering. I hope that the

[Mr. Lennox-Boyd]

political and humanitarian measures that I have described will provide a practical demonstration of the Government's commitment to that end.

Question put and agreed to.

Adjourned accordingly at eleven minutes past Twelve midnight.

House of Commons

Wednesday 25 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

Greater Glasgow Health Board

1. **Mr. McAvoy:** To ask the Secretary of State for Scotland when he next plans to meet Greater Glasgow health board to discuss industrial relations between the board and health service employees.

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): My right hon. Friend the Secretary of State has no plans to meet Greater Glasgow health board to discuss industrial relations between the board and health service employees.

Mr. McAvoy: Will the Minister join me in condemning the way in which the board treated its employees at Glasgow royal infirmary—the porters and cleaners—by handing them over to the NHS trust at the royal infirmary, which then proceeded to cut the wages and conditions of the ancillary workers there? Does he accept that the way in which the trust behaved compounded the board's treatment of those ancillary workers? Where are we going with those trusts in Scotland?

Mr. Stewart: The dispute to which the hon. Gentleman refers was, of course, one involving a private firm, and the wages and conditions of service between the employer and the employee. That is a matter for the employer and employee, although, naturally, I am gratified that the hon. Gentleman has such confidence in Scottish Office Ministers that he would like us to be directly and personally involved in such matters. In answer to his specific question, the Glasgow royal infirmary university trust decided to re-tender the contract to which he refers.

Mr. George Robertson: Are we not fast reaching a crisis over those NHS thrusts, and to whom precisely they are responsible? The events at Glasgow royal infirmary were bad enough and sordid enough, but we have also seen recent serious problems of buck passing at Raigmore hospital, Inverness, and Aberdeen children's hospital as well. Does the Minister not agree that, if those market-driven, wage-cutting, secrecy-obsessed trusts are not to shut off the NHS from the public that it is supposed to serve, the sooner they are back in the full health service structure the better that it will be for patients and public alike?

Mr. Stewart: I wholly disagree with the hon. Gentleman. Contrary to what he alleged, all 39 trusts in Scotland are producing evidence of new initiatives that benefit patients: new services, more consultants, better facilities—all allowing trusts to treat more patients and provide health care that is better suited to patient needs. I could go on, but I will not do so. Why does not the hon. Gentleman get up to date with the realities?

Mr. Connarty: I wonder whether, when the Minister meets the Greater Glasgow health board, he will ensure that the same terrible practice does not happen in the Greater Glasgow area that happened in Forth Valley, where one of my constituents—a geriatric patient—found that there were no emergency bell cords to call for help when she fell, since they had all been removed from the ward? Will he ensure that that does not happen in Greater Glasgow health board, and ensure that he sacks Mrs. Isbister, chair of the Forth Valley health board, for allowing that to happen?

Mr. Stewart: I do not know the details of the case to which the hon. Gentleman refers, but if he writes to me, of course I will look into the matter. The general point that I am making is that if one looks at the record of health trusts in Scotland, it is a record of more patients than expected being treated, waiting list times coming down and new services being offered. That is the reality.

Scottish Homes

2. **Mr. Michael J. Martin:** To ask the Secretary of State for Scotland when he will next meet Scottish Homes to discuss its programme.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I have regular meetings with the board of Scottish Homes, and last met the board on 11 March. I approved Scottish Homes' development programme for the current year on 28 February.

Mr. Martin: One of my constituents, Mrs. Howie of Dennistoun, had the good fortune to be told by a rent officer that her rent would not be raised above £115. The Milnbank housing association took the matter to court, and a sheriff found in favour of the rent officer and Mrs. Howie. I have been informed that the housing association is now asking Scottish Homes to pay 100 per cent. of the legal fees and the cost of any subsequent appeals, that it is trying to take the case to the Court of Session, and that other housing associations have had a whip round to raise money to fight Mrs. Howie.

Why should a tenant have to fight against such terrible odds? Will the Minister call on Scottish Homes not to finance the project, given that the sheriff found in Mrs. Howie's favour?

Lord James Douglas-Hamilton: The intention of the original legislation was to preserve the rights of secure association tenants: that was absolutely clear when the Bill that became the Housing (Scotland) Act 1988 was going through Parliament. I am therefore surprised and disappointed that the housing association has seen fit to appeal against the sheriff's judgment, which confirms the position. I should certainly be unhappy if further public funds were spent on the case, and I hope that it will be resolved quickly.

I have followed up the matter that the hon. Gentleman raised at our last Scottish Question Time. Progress is being made on the various developments that he mentioned in Royston road, Dennistoun and Blackhall: the matter is in hand.

Mr. Home Robertson: Does the Minister acknowledge that he is responsible for levels of homelessness, overcrowding and bad housing that can only be described as a full-blown housing crisis? Will he further acknowledge that the only way in which to address the problem is to make more houses available to let at fair rents and with secure leases? Will he now instruct Scottish Homes to help Scottish local authorities to get on with that job?

Lord James Douglas-Hamilton: The hon. Gentleman is incorrect: statutory responsibility for homelessness resides, quite properly, with local authorities. Scottish Homes is giving priority to dealing with homelessness, and local authorities have nomination rights with housing associations. As I have said, the intention of the legislation was to preserve the rights of secure tenants under the law. That has been made absolutely clear.

Lockerbie

3. **Mr. Dalyell:** To ask the Secretary of State for Scotland, pursuant to his oral answer to the hon. Member for Greenock and Port Glasgow (Dr. Godman) of 27 April, *Official Report*, columns 227-28, that he has not seen any evidence that would cause him not to proceed with the criminal charges that have already been brought in respect of the Lockerbie bombing, what account the Lord Advocate has taken of the statements by Edwin Bollier and Ulrich Lumpart concerning crucial timing devices and the Stasi known to 10 Downing street and the Foreign Office.

The Secretary of State for Scotland (Mr. Ian Lang): My noble and learned Friend the Lord Advocate has taken account of all evidence made available to him in respect of the Lockerbie bombing.

Mr. Dalyell: In that case the Lord Advocate cannot have taken account of all the evidence. Why does he not ask for Lumpart and Bollier to be interviewed by either the Crown Office or the police? Is the Crown Office not being a bit lazy?

Mr. Lang: The hon. Gentleman persists in setting himself up as some kind of amateur sleuth in this matter. The fact is that my noble and learned Friend has taken full account of all the evidence open to him, and nothing in the evidence that he has received has prompted him to consider any change in the charges that he wishes to make. I think that the hon. Gentleman should support him and the Government in seeking to enable the trial to take place.

Sir Teddy Taylor: Leading and respected Scottish advocates and lawyers have stated clearly and publicly that a fair trial before a Scottish jury is simply not possible because of recent press coverage. The Libyan Government have said that they would willingly send the two accused to any other country in the world. In view of those facts, does the Secretary of State agree that—in fairness to the relatives of the victims of this appalling disaster—it would be better for the Government to consider legislation for a trial in, for instance, The Hague, so that the truth of this dreadful issue could at least emerge? That would be better than the present circumstances, in which nothing happens for years.

Mr. Lang: The investigation took place under Scots law, and the charges are being brought on that basis. There is no evidence to support the contention that the Libyan Government would be any more amenable to holding a trial in any other country, even if that were possible—and it would be extremely difficult in the circumstances.

Dr. Godman: Is not the truth that the case is unlikely to come to court? Without the evidence provided by my hon. Friend the Member for Linlithgow (Mr. Dalyell), the issue would slip away from public attention. What is wrong with holding an ad hoc international tribunal, chaired by a Scots judge, in The Hague or some other mutually acceptable capital? Surely that is the way in which to enable the case to be prosecuted.

Mr. Lang: A Scottish court cannot sit abroad.Before it could do so, complex legislation would be required, no doubt in both countries. There is no evidence that the Libyans would be any more amenable to that course. I assure the hon. Gentleman that the Crown Office does not intend to let the matter slip away, as he put it.

Mr. Dalyell: On a point of order, Madam Speaker. In view of the unsatisfactory nature of the reply, I hope to raise the matter on the Adjournment.

Day Care, Tayside

4. **Mr. Bill Walker:** To ask the Secretary of State for Scotland what plans he has to meet the convenor of Tayside regional council to discuss the region's plans for day care facilities.

Mr. Stewart: My right hon. Friend the Secretary of State has no present plans to meet the convenor of Tayside regional council to discuss day care facilities.

Mr. Walker: Does my hon. Friend agree that discussions within Tayside health board on Meigle cottage hospital have been preliminary and informal? A transfer of that hospital's day care facilities, bearing in mind that it was given under special covenant and the special circumstances surrounding the endowment, would require a massive transfer of funds from the health board to Tayside region before any thought could be given to turning it into what it is alleged the discussions were supposed to have been about.

Mr. Stewart: From my hon. Friend's previous questions and his Adjournment debate on this matter, the House will know of his concern, as the constituency Member involved. It would be the board's intention to seek to recommemorate the Meigle site if and when it transfers to new community care use. I understand that he is correct to say that the discussions so far have been informal and preliminary.

Mr. McAllion: Why did the Minister, only this year, give Tayside regional council lead responsibility for care in the community, when he planned all along to abolish it in less than two years, thereby guaranteeing that the carefully devised Tayside-wide care in the community plan would have to be ripped up, and that the three single-tier councils would have to start all over again? Is it not true that the needs of the most vulnerable people in Tayside are playing second fiddle to the gerrymandering requirements of carving out a few Tory seats in Angus and in Perth and Kinross?

Mr. Stewart: The hon. Gentleman revisits debates that occupied the Committee that considered the Local Government etc. (Scotland) Bill and the House for some considerable time. There is widespread popular support for single-tier unitary authorities in the city of Dundee, in Angus, represented by the Scottish National party, and in Perth. Tayside's grant-aided expenditure allocation for community care in 1994-95 is £14.2 million higher than in 1990-91. That is proof of the Government's commitment to improved community care on Tayside.

Mrs. Fyfe: Does the Minister accept that the compulsory competitive tendering that he loves so much means that successful tenders for day care and other personal services will come from firms that pay the lowest wages and have the fewest employees? Has he not learnt anything from recent events at Glasgow royal infirmary trust, where porters and cleaners, backed to the hilt by the Glasgow public, defeated the plan to cut their wages when the top brass awarded themselves fancy salaries? Does he think that the people of Tayside will tolerate what the Glasgow public did not?

Mr. Stewart: In relation to the hon. Lady's health service question, market testing has saved some £94 million pounds, which has all gone into patient care. I thought that Opposition Members were supposed to be concerned about patient care and its improvement, but it seems that that is not so.

In relation to her specific point about Tayside, we have received complaints from Tayside about inadequate consultation with the private and voluntary sectors on community care. I propose to issue a direction on purchasing, which I hope will ensure adequate consultation and the full involvement of public, private and voluntary sectors. *[Interruption.]* I know that the hon. Gentleman does not want that kind of partnership, but I believe that it is a sensible way forward for the future.

Drug Abuse

5. **Mr. Watson:** To ask the Secretary of State for Scotland when he intends to respond to the Select Committee on Scottish Affairs' report on drug abuse in Scotland.

Lord James Douglas-Hamilton: We welcome the Select Committee's report, which brings a further valuable perspective to the problem of drug misuse in Scotland. Our response to the report will be published as soon as our careful consideration of its recommendations is complete.

Mr. Watson: The Minister will know that the Select Committee's report confirms the view already widely held in social work departments, drug projects and agencies, as well as by the parents of those who have died, that current reporting procedures seriously underestimate the number of drug-related deaths, not least in Glasgow, where fatal overdoses by drug injecters are now the largest single cause of death among young adults?

What assurances can the Minister give that, when he responds to the report, he will ensure that the Scottish Office improves the reporting procedures, especially those governing the amount of information given on death certificates, so that accurate figures will be available on which to base future action?

Lord James Douglas-Hamilton: Obviously, that is one of the matters that we are considering in great detail, and a full response will be forthcoming when we give our response to the Select Committee report. Our own task force is studying all such matters in great depth and will report in the summer, having taken fully into account all the Select Committee's recommendations. Correct reporting is extremely important.

Mr. Gallie: In assessing the Select Committee's report, will my hon. Friend take account of the recommendation for harsher treatment of drug peddlers, especially bearing in mind the outrage caused in my constituency and adjacent constituencies by the derisory sentence—simply community service—received by a youth convicted of selling drugs to 13 and 14-year-olds?

Lord James Douglas-Hamilton: Obviously, we shall have to keep penalties carefully under review. Those who peddle drugs are in a much more serious position than those who are addicts, and the courts should treat them with according severity. We shall bear my hon. Friend's point in mind.

Mr. David Marshall: What does the Minister know about skunk? Will he give a guarantee that he will totally reject any proposal to legalise it?

Lord James Douglas-Hamilton: I did not hear the word that the hon. Gentleman used. Did he say scum?

Mr. David Marshall: Skunk.

Lord James Douglas-Hamilton: It is absolutely clear that we are totally against the decriminalisation of cannabis —[*Laughter.*] The material that the hon. Gentleman mentioned sounds to me as though it would come into an even worse category.

Mrs. Ray Michie: The Minister's answer to the hon. Member for Glasgow, Central (Mr. Watson) lacked a sense of urgency. Will he pay special attention to the Scottish Affairs Committee's recommendation that the Scottish Office establish a permanent national committee to lead and co-ordinate the many agencies now in place? Unless we get a grip on the problem, more and more of our youngsters will be caught up in drug abuse and drug-related crime.

Lord James Douglas-Hamilton: That is one of the issues that the task force is currently considering. It is considering such issues as a matter of urgency, and it will report in the summer. We are spending about £40 million a year—on health education, social work and various forms of treatment, for example, as well as on policing. So considerable public funds are already allocated to that important problem. However, we shall bear in mind the point that the hon. Lady raised.

Mr. Raymond S. Robertson: When my right hon. and hon. Friends respond to the Select Committee's report, will they pay particular attention to the section on education? Does my hon. Friend agree that education on drug abuse must start in the primary schools, because leaving it to secondary schools is leaving it too late?

Lord James Douglas-Hamilton: Yes, I entirely agree. What my hon. Friend says is absolutely right. We have introduced the Drugwise 2 package for schools, which has been successful, and not so long ago we held a conference advising schoolchildren of the dangers of taking drugs. That, too, was successful.

Community Care

6. **Mrs. Ewing:** To ask the Secretary of State for Scotland what resources he has allocated to community care for the current financial year; and if he will make a statement on the Government's policy for developing this programme.

Mr. Stewart: In the current year, about £170 million has been made available to Scottish local authorities for the implementation of the community care policy—an increase of £88 million over the previous year.

Mrs. Ewing: Despite that figure, will the Minister explain why he believes that a community care policy is being evolved, when our elderly, our disadvantaged and our disabled are to be subjected to the added burden of VAT on domestic fuel? When we consider that against the background of the Government's failure to recognise the need for a carer's premium and their failure to recognise all aspects of care in the community, how can he say that there is a community care policy in place? Many people, especially those who are disadvantaged, do not believe that that is so. Exactly what does the Minister have in mind?

Mr. Stewart: I congratulate the hon. Lady on her ingenuity. However, she has failed to recognise the package of measures that my right hon. and learned Friend the Chancellor of the Exchequer announced to assist the elderly and those on low incomes with VAT on fuel. On her more general point, the Government's objectives for care in the community are very clear and, indeed, in principle, they have very wide acceptance.

Mr. Robert Hughes: Is not the Minister aware of the very great concern—indeed, resentment—in and around Aberdeen over the proposal by Grampian health care trust to close a number of hospitals on the ground that it is necessary under community care, when the trust itself concedes that there are no places in the community available? How on earth can that be justified, and why does not the Minister have a policy that insists that, before there is any mention of hospital closures, there are suitable places up and running and available in the community to take people who are discharged?

Mr. Stewart: Of course, there have to be available places in the community. No one can be discharged until there is a community care individual assessment by the key agencies on housing and on social and community needs. May I also point out to the hon. Gentleman the bridging finance that is available to assist that process, which totalled £60 million between 1991-92 and 1995-96? That is in addition to the figures to which I have already referred and in addition to the extra resources that Scottish Homes, for example, is using to play its part in the effective implementation of care in the community.

Government Spending

7. **Mrs. Gorman:** To ask the Secretary of State for Scotland what is the per capita Government spending in Scotland.

Mr. Lang: Identifiable general Government expenditure per head in Scotland in 1992-93 was £3,968.

Mrs. Gorman: I thank my right hon. Friend for his reply. Will he confirm that, for every pound of taxation collected in Scotland, the Scottish people receive £1.40 back? Does he agree that the Opposition are being less than honest with the people in Scotland in pretending that a devolved parliament would mean that they would not have to pay more taxes, because, indeed, they would? Does my right hon. Friend have any idea of the cost of a devolved parliament, or of the even wilder scheme, which I believe that the Liberal Democrats are proposing, to reintroduce the groat?

Mr. Lang: I cannot confirm the exact accuracy of my hon. Friend's figure, but the point that she makes about a separate Scottish parliament is absolutely right. Indeed, it is significant that, while we on this side of the House are reforming local government to introduce one tier, to diminish bureaucracy, to reduce duplication and to decentralise and strengthen local government, the Labour party is bent on creating another layer of bureaucracy through a Scottish parliament, which would centralise powers from local government in Scotland and massively add to the burden on the Scottish people.

Mr. Wray: Does the Secretary of State agree that Scotland is well paid for? At the 1993 Budget, the assessment of revenues from Scotland was £77 billion from gas and oil? If one uses the gross domestic product deflator on prices, that would be equivalent to £128 billion in 1994.

Does the Secretary of State also agree that there are about 2,100 million tonnes of oil in reserve which could last for another 21 years?

Mr. Lang: The hon. Gentleman is obviously an expert on the deflator; the Scottish National party would be proud of him. Revenue raised in Scotland is substantially less than public expenditure in Scotland. A separate Scotland would have a substantial public sector deficit. Scotland does well out of the existing arrangements and is increasingly prospering as a result.

Mr. Biffen: Is my right hon. Friend aware that whatever the sums paid by the English to the Scots, they must be put in the context of the long-standing and intimate historical association between the two peoples? That factor does not arise in respect of what the English or the British have to pay to the Greeks, the Portuguese or the Spaniards in the context of the European Union.

Mr. Lang: I am grateful to my right hon. Friend for his strong support of the Union, to which all Conservative Members subscribe. I am also grateful to him for his robust approach to the future of the United Kingdom in the European Union, to which most of us subscribe as well.

Mr. McLeish: I, too, am grateful for Conservative Members' support of Scots in the House. After yesterday's pathetic Government statements on competitiveness and employment, will the right hon. Gentleman acknowledge that there is great benefit to be gained from public investment in skills training, which will improve our competitiveness? Why, then, on the Government's own figures, do only 30 per cent. of the Scottish work force receive any form of job-related training? Is that not a scandal in the latter part of the 20th century? Does the Secretary of State want us to fall further behind in Britain in terms of job-related training? Is he content to see us as the poor man of Europe in terms of skills and the future of the economy? We have had enough of his complacency and I sincerely hope that he will now get to grips with the real problems facing the Scottish economy.

Mr. Lang: That is one of the most brazen questions that I have heard for a long time. The Government are spending substantially more than the Labour Government ever spent on training. As a result, the success level for qualifications in Scotland is substantially higher than it has ever been before and higher than it is south of the border. Scotland has enjoyed productivity gains of more than 5 per cent. per annum for most of the past decade. That is a higher rate of improved competitiveness than in any of the other the G7 countries and a measure of our commitment to training, improved efficiency and competitiveness in Scotland.

Forestry

8. **Sir Thomas Arnold:** To ask the Secretary of State for Scotland when he expects to announce his future forestry policy.

Lord James Douglas-Hamilton: The Government's forestry policy objectives are set out in the policy statement, "Forestry Policy for Great Britain", which we published in September 1991. "Sustainable Forestry: The UK Programme", published in January this year, provides a comprehensive account of the action that we are taking to achieve those objectives.

Sir Thomas Arnold: Can my hon. Friend confirm that it is no part of his policy now to proceed to privatisation? What other options is he considering?

Lord James Douglas-Hamilton: I can confirm to my hon. Friend that a wide range of options have been looked at, of which privatisation was merely one. Ministers are currently developing their preferred options in the context of the forestry review group's advice. My right hon. Friend the Secretary of State will make an announcement in due course. There will, of course, be consultation on the options preferred by Ministers before matters are taken forward. The form and timing of that will depend on the conclusions that Ministers reach.

Mr. Eric Clarke: I congratulate the hon. Member for Hazel Grove (Sir T. Arnold) on raising this question. I have raised very similar questions on three occasions and we have had the same kind of evasive answer from all three Ministers. We read in the press that the Government intend to scrap the privatisation proposals; yet Ministers say that they are looking at them. Many people in many parts of Scotland, especially in my constituency, are worried about their jobs. The Forestry Commission and forestry generally are important to the economy of Scotland; I emphasise that point. When will the Minister make a decision?

Lord James Douglas-Hamilton: The answer is in due course. We shall not be rushed in this matter. Full consideration will be given to all the issues. The hon. Gentleman is absolutely correct—forestry is extremely important. The Forestry Commission's headquarters are in my constituency and I can tell the hon. Gentleman that the commission is far and away the biggest landowner in Britain, with more than 1 million hectares in its ownership. The matter will receive full consideration,and a statement will be made in due course.

Mr. Kynoch: My hon. Friend will be aware of the importance of forestry in my constituency of Kincardine and Deeside. Is he aware of the importance to my constituents of access to the forests for recreational purposes such as orienteering, hill walking and rambling? Can he give comfort to my constituents that in his review he will be not only looking at the good management of the forests but ensuring that there is continued good access for members of the public?

Lord James Douglas-Hamilton: Access and environmental matters are two of the most important considerations being borne in mind by the review group. I am grateful to my hon. Friend for his remarks, especially in view of the importance of access not only for residents but for tourists.

Mr. Kirkwood: Does the Minister accept that the undue delay in the Government's making up their mind is having a damaging effect both on staff morale and on the timber-using industry? When is "shortly" or "in due course"? Can the Minister say whether it will be days or weeks? It certainly should not be any longer than that. Can he also give an undertaking that he will publish the report of the forestry review group in full so that we can see all the options made available to the Government by the review team and not just those selected for consultation by the Government?

Lord James Douglas-Hamilton: Yes. The advice was private and confidential. A full statement will be made in due course and the points made by hon. Members will be borne in mind.

Mr. McFall: Why will the Minister not be open with the House and tell us that the decision to establish a "next steps" agency for the Forestry Commission has already been taken? Can he confirm that Government-commissioned research has shown that the emphasis by such bodies on greater commercial freedom and less accountability will mean that areas such as Pannanich wood in Ballater, Deeside, and Kilpatrick hills and Loch Lomondside will be disposed of more quickly, resulting in less or no access to our hills and glens for hundreds of thousands of ramblers and hill walkers?

Lord James Douglas-Hamilton: There are no plans to abandon or postpone the disposals programme. With regard to the agency option, I can tell the hon. Gentleman that I am unable to confirm or deny any such speculation. He will have to wait until my right hon. Friend the Secretary of State makes his full announcement.

Local Government Reorganisation

9. **Mr. McKelvey:** To ask the Secretary of State for Scotland what discussions he has had with local government trade unions about employment conditions after local government reorganisation.

Mr. Lang: I have received no requests from local government trade unions for discussions about employment conditions after local government reorganisation.

Mr. McKelvey: If—God help us—the planned reorganisation of local government goes ahead will the Secretary of State make a commitment now that local government employees who have to transfer to a new authority or new employer will be guaranteed their conditions of pay, their pensions and their full rights under the European Union's acquired rights directive?

Mr. Lang: It is too soon to be specific about the detailed decisions that will be taken; they will be considered carefully and taken nearer the time. Nor is it possible to generalise about the effect of the Transfer of Undertakings (Protection of Employment) Regulations 1981 or the acquired rights directive. Individual circumstances will vary.

Mr. George Robertson: Will the Secretary of State confirm that the main savings that he was projecting for this gerrymandered reorganisation were to come from the sacking of staff currently employed by local councils? Will he now confirm what everyone else in the country knows is a fact—that European law, both the acquired rights directive and the TUPE regulations, will mean that he simply will not be able to sack staff across Scotland on a wholesale basis? Does that not mean that the Government's promises on the costs and savings from local government reorganisation are as bogus as their promises on value added tax at the last election, and that the taxpayers of Scotland will have to pick up the £700 million price tag for a reorganisation that is both unnecessary and completely unwanted?

Mr. Lang: It is the hon. Gentleman's question that is bogus. What he still refuses to acknowledge, although even he must understand it, is that costs and savings are directly related. Just as costs derive from substantial redundancy payments, savings result from reduced staff numbers. The hon. Gentleman cannot therefore say that there will be no savings but that there will be substantial costs, because the figures are directly related. I envisage most local authority staff transferring by one means or another to the new councils, irrespective of TUPE, but it is impossible to generalise on the application of TUPE because individual circumstances will vary.

Ravenscraig

10. **Dr. Bray:** To ask the Secretary of State for Scotland what provisions he has made in Government expenditure plans for the redevelopment of the Ravenscraig site in excess of those costs that will fall to British Steel and the European Union.

Mr. Stewart: My right hon. Friend the Secretary of State has made very substantial resources available to Scottish Enterprise for economic and environmental development and has taken the needs of Lanarkshire and, in particular, the redevelopment of the Ravenscraig site, into account in so doing.

Dr. Bray: Is the Minister aware that there is a gap between the reclamation of the Ravenscraig site, which British Steel will carry out, and a site with infrastructure on to which developers can move and that that gap must be filled by European Union and United Kingdom Government funding? Unfortunately, European funds cannot be committed until the site is in public ownership and British Steel cannot sell until the deal is completed. Will the Secretary of State write such into his plans provision for public expenditure in 1995-96 specifically to trigger the physical work on the redevelopment of the Ravenscraig site?

Mr. Stewart: The House will appreciate the hon. Gentleman's knowledge and expertise on this matter. British Steel will of course meet its obligations, especially those relating to surface contamination. As the hon. Gentleman will know, a consultancy study will be completed in the near future and will go to the Lanarkshire development agency, British Steel and the local authorities. I accept that there may then need to be a sensible additional use of public resources and I shall be happy at an appropriate time to meet the hon. Gentleman to discuss the details.

Dr. Reid: With respect, I think that the Minister has missed the point—that there will be a period when bridging finance will be necessary to trigger the redevelopment of the Ravenscraig site and that that money cannot come from the European Union because the site will not at that stage be in public ownership as it will not be sold by its private owners until the development has started. The vicious circle can be broken only if the Government are prepared to provide finance as a mechanism to trigger the development. Will the Minister consider that point and raise it with his colleagues with a view to writing it into the 1994-95 economic plans?

Mr. Stewart: I cannot at this stage give specific commitments in relation to future public expenditure, but the hon. Gentleman will know that the Government have fully supported the Lanarkshire development strategy. I believe that the strategy will provide options over a fairly long time scale. The hon. Gentleman will also know that substantial resources have been made available to Lanarkshire through Scottish Enterprise. I believe that those resources are paying off in terms of regeneration and I assure the hon. Gentleman, as I assured the hon. Member for Motherwell, South (Dr. Bray), that I shall keep closely in touch on the detailed matters that he has raised.

Mr. Salmond: As Ravenscraig was probably sacrificed by British Steel as its entry price into a European cartel on other steel products, would it not be outrageous if British Steel escaped any of its obligations or if the site remained undeveloped because of a lack of political will and initiative from the Government? In view of the behaviour of British Steel and British Gas towards their customers and work forces in Scotland, what does the Minister think is the common factor—the fact that both were privatised or the fact that both were British?

Mr. Stewart: The hon. Gentleman may have missed my earlier reassurance. I reassured the House that British Steel would meet its obligations, especially those in relation to surface contamination. However, there are positive proposals for the regeneration of the area, such as that from St. Andrews university for a university college. That is a positive proposal from an excellent university which has outstanding graduates such as the hon. Gentleman as well as the hon. Member for Hamilton (Mr. Robertson) and others.

Dutch Elm Disease

11. **Mr. Pawsey:** To ask the Secretary of State for Scotland what research he has commissioned into the spread of Dutch elm disease; and which counties are most affected.

Lord James Douglas-Hamilton: The Forestry Commission has undertaken research on the spread of the Dutch elm disease fungus, mostly concentrating on measures and strategies for its control. The commission conducts periodic reviews of the geographic spread of the disease. It is endemic throughout Britain except for some parts of north Scotland.

Mr. Pawsey: I am grateful to my hon. Friend for that especially complete and helpful reply. Can he say whether there is any feasible chemical treatment which might be used to protect young trees? I listened with care to what he said about the spread throughout the United Kingdom, but is there any evidence to suggest that Dutch elm disease is more prevalent in some areas than in others?

Lord James Douglas-Hamilton: It most certainly is more prevalent in some regions. For example, in Scotland the wych elm is more resistant to Dutch elm disease than the elms in the south. I am well aware of my hon. Friend's great interest in that subject. The Forestry Commission is undertaking research into such fungicide injections, which will include viruses to reduce the capacity of the Dutch elm disease fungus to damage elms. It is also doing research into genetic engineering of the English elm to increase resistance to the disease. As I have said, however, wych elm in Scotland is far more resistant, which goes to show that that type of tree is flourishing north of the border.

Mr. Galloway: Has the commission run any tests to ascertain the extent of the spread of Dutch elm disease in the cheap balsa wood Cabinet that runs the country? Is it not the case that, like a line of trees affected by Dutch elm disease—thick, hollow and rotten at the core—that Cabinet will be felled by the British electorate on 9 June?

Lord James Douglas-Hamilton: The answer to the hon. Gentleman's question is no, but he has a serious point. I once had to bring back a present of a wooden boat from the St. Lucian Parliament to the Speaker of this House. Unfortunately, there was a beetle inside which had eaten it by the time the Speaker received it. We always have to watch for the enemy within.

Investment

12. **Mr. Riddick:** To ask the Secretary of State for Scotland what steps he is taking to encourage new investment by companies which already have a presence in Scotland and by companies from overseas.

Mr. Lang: My officials actively promote Scotland as a location for investment both by indigenous companies and by inward investors. Securing re-investment by existing inward investors is an increasingly important part of Locate in Scotland's work and I have asked it to devote additional resources to that task.

Mr. Riddick: Does my right hon. Friend agree that although in the past 15 years the Conservative Government have created the right climate for investment—with measures such as trade union reform, privatisation and deregulation—Governments also have the capacity to stifle investment? Does he agree that Labour party policies such as giving power back to the trade unions, imposing a minimum wage on industry and embracing the job-destroying social chapter would bring investment in Scotland and the United Kingdom to a grinding halt?

Mr. Lang: My hon. Friend is absolutely right. It is not insignificant that the United Kingdom has secured no less than 40 per cent. of all the inward investment that has come into the single market from outside. That is because we have resisted such measures as those that my hon. Friend mentions. It is no wonder that President Jacques Delors said that the United Kingdom was a paradise for inward investment.

Mr. Chisholm: Is not the real problem the fact that we are second bottom of the Organisation for Economic Co-operation and Development league in terms of manufacturing investment, which is leading to a decline in the number of manufacturing jobs in Scotland, as evidenced by the announcement last week of further redundancies at Peebles Electric in my constituency? Why could the Secretary of State yesterday only make a do-nothing addendum to the pathetic paper from the President of the Board of Trade? As he obviously has no ideas of his own, may I suggest that he invests in a copy of Labour's alternative policy paper, to be launched next week?

Mr. Lang: Labour's policy would drive inward investment out of the United Kingdom. The Labour party would take on all the extra labour costs espoused by their socialist partners in Europe. That is precisely the distinction between the two parties in the coming European election. As for manufacturing, I can reassure the hon. Gentleman that output in Scotland rose by 2.5 per cent. last year, and the prediction is that it will rise substantially this year. Indeed, our manufactured exports were at a record level of some £11 billion last year.

Hospital Waiting Times

13. **Mr. Graham:** To ask the Secretary of State for Scotland if he will make a statement about waiting times for appointments and operations in health board areas in Scotland.

Mr. Stewart: At the end of 1993, 94 per cent. of patients had had their first out-patient appointments within 18 weeks following general practitioner referral—up from 92 per cent. the previous year. Ninety-two per cent. had waited less than 12 months for admission for treatment—up from 89 per cent. in 1992. Those are noteworthy achievements and I confidently expect further improvement as health boards work to reduce their waiting time guarantees.

Mr. Graham: We have heard of the terrible waiting times for constituents in need of hospital treatment. I am quite appalled. Why are the undertakings in the Prime Minister's citizens charter concerning consultant appointments and surgery not being honoured in my constituency or elsewhere in Scotland? I have here a document showing the appalling waiting times. People have to wait five or six months for a first appointment, and then months and months for critical operations. When will the Government get their finger out and ensure that people receive the treatment that they need and deserve?

Mr. Stewart: There has been a continuous and gradual reduction in waiting lists despite the 28 per cent. increase in the number of in-patients since 1979 and the 225 per cent. increase in the number of day treatments. Those are the real figures. In the case of the Royal Alexandra hospital trust in the hon. Gentleman's constituency, the waiting time for ophthalmology treatment is the lowest in Scotland. I accept that in the hon. Gentleman's constituency there has been a problem with regard to urology. This is a new specialty, and demand has exceeded supply. There have been higher than expected levels of activity. However, I assure the hon. Gentleman that these have been fully taken into account in the contract for the next year.

Mr. Burns: Does my hon. Friend agree that it is rather sad that certain Opposition Members cannot give credit for the improvements that the figures he has given indicate? Does he agree that the significant improvements in the health service in Scotland would be set back if there were a national minimum wage?

Mr. Stewart: My hon. Friend is absolutely right on both points. It constantly astonishes me that Opposition Members, while they say that they are committed to the health service, take every possible opportunity to criticise it and to create alarm and despondency where none should exist. I will give my hon. Friend an important figure: our public expenditure commitments will represent an increase of 2.5 per cent. in the number of day and in-patients in Scotland next year. That is a measure of the Government's real and practical commitment to the national health service in Scotland.

Mr. Charles Kennedy: Will the Minister ask his right hon. and noble Friend the Minister of State, who is responsible for health matters, to have specific discussions with the management of the NHS trust at Raigmore hospital in Inverness in view of that body's recent statement that it is having great problems with regard to recruiting and retaining specialists because of what it describes as national shortages in key clinical areas? This is creating very great concern and controversy in the highlands, and the Scottish Office must give it the utmost priority.

Mr. Stewart: I accept that the hon. Gentleman is representing his constituents with regard to this matter. I know that the point has been made to my right hon. and noble Friend the Minister of State, who will be in touch with the hon. Gentleman specifically concerning the point that he has raised.

Mr. Foulkes: Are not doctors being urged to discharge patients far too early in an effort to reduce the waiting list? Does the Minister recall that the figures that he gave me for Ayrshire showed a doubling in the number of top administrators in Ayrshire and a reduction of 300 nurses? That is what is happening in the health service. Is it not appalling that when the chairman of the South Ayrshire national health service trust, Douglas Brown, writes to me he talks about his enterprise and not his health care units?

Mr. Stewart: I do not know why the hon. Gentleman is so opposed to initiative and enterprise and to the effective use of resources in the health service. The effective use of resources will maximise the standards of care in the health service, which is the whole objective of the Government's reforms.

Trunk Roads

14. **Mr. Raymond S. Robertson:** To ask the Secretary of State for Scotland how much has been spent in Scotland on upgrading trunk roads in each of the last four years.

Lord Douglas-Hamilton: The amount spent on new construction and improvement of motorways and trunk roads in Scotland was £172 million in 1990-91, £175 million in 1991-92, £198 million in 1992-93 and £196 million in 1993-94. Our continuing commitment to a sustained level of investment in our road network is demonstrated by my right hon. Friend the Secretary of State for Scotland's announcement last week which set out the Government's plans for the next three years.

Mr. Robertson: Is my hon. Friend aware that, thanks to the Government, Aberdeen is now linked by dual carriageway to the nation's motorway network for the first time and that it is possible to drive on roads of either dual carriageway standard or motorway standard from Aberdeen to Istanbul? Does he agree that that is good news for businesses in the north-east of Scotland, holidaymakers in Aberdeen and tourists from Turkey?

Lord James Douglas-Hamilton: It is good for business and for tourism and it is an encouraging step. We also intend to upgrade the A90 between Perth and Aberdeen to near motorway standard in the medium to long term, but this is a substantial step at this stage.

Mr. Norman Hogg: The Minister will be aware that yesterday there was a serious accident in my constituency resulting in fatalities and injuries and I know that he will wish to join me in sending sympathy to the bereaved relatives and to the injured. Will he undertake to write to me setting out the position that has been reached in relation to the upgrading of the A80 and the construction of the M80 motorway between Stepps and Haggs?

Lord James Douglas-Hamilton: First, I should like to be associated with the hon. Gentleman in sending sympathy to the families concerned. Of course there will be a full police inquiry which will be reported in due course.

The emphasis in future will be placed on achieving progress on upgrading the central Scotland motorway network and also on upgrading the A74 to motorway standard and upgrading the A1. The hon. Gentleman's point will certainly be remembered.

Population Statistics

15. **Mr. Harry Greenway:** To ask the Secretary of State for Scotland what is the current population of Scotland; what were the figures for 10 and 20 years ago; and if he will make a statement.

Lord James Douglas-Hamilton: According to the Registrar General's latest estimates, the population of Scotland was 5.12 million on 30 June 1993. This compares with 5.15 million in 1983 and 5.23 million in 1973.

Mr. Greenway: Has my hon. Friend discerned a trend in the population of Scotland, which is that it seems to go down when there is a Labour Government? Why does he think that people leave home in Scotland when there is a Labour Government, and are they not wise to do so?

Lord James Douglas-Hamilton: The figures are revealing. In the period 1973-83, Scotland suffered net migration losses averaging more than 14,000 per year. For much of that period, Labour was in power, as my hon. Friend suggests. In the period 1983-93, the average net loss fell to below 7,000 but, most importantly, the population increased by 27,000 in the five years up to 1993. People come to Scotland and they like living there because of the excellence of the environment, the friendliness of the people and the magnificence of the heritage.

Mr. Welsh: Does the Minister not realise that the fall in the population of Scotland is proportionately the worst in the whole of western Europe? Given Scotland's immense resources and the abilities of her people, is that not also a damning indictment of this Parliament's misrule of Scotland?

Lord James Douglas-Hamilton: No. The latest figures show clearly that the number has risen in the past five years, so the prophesies of doom and gloom from the jaded Jeremiahs on the Opposition Benches are unfounded. And more people will want to come and live in Scotland in the future.

Sir Nicholas Fairbairn: As the increase in world population is its greatest threat, will my hon. Friend make it a Government priority to address all international organisations to make them aware of the frightfulness that will result from the multiplying exponential curve of world population?

Lord James Douglas-Hamilton: I think that that is a matter for my right hon. and noble Friend the Minister for Overseas Development; I will draw my hon. and learned Friend's concern about birth control to her attention.

Business of the House

3.30 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): May I invite the Leader of the House to state the business for the first week after the recess?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): Before I list the business itself, may I say that, given that counting in the European elections will not take place until late on Sunday 12 June and, in some seats, not until Monday 13 June, we have concluded that it will be for the general convenience of hon. Members if the House were to resume on Tuesday 14 June, rather than Monday 13 June as earlier proposed. I have had strong representations to that effect from the right hon. Member for Lagan Valley (Mr.Molyneaux) and the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who had the assent of other minority parties.

In the light of that, the business for the first week after the Spring Adjournment will be as follows:

TUESDAY 14 JUNE—Debate on the GATT on a motion for the Adjournment of the House.

WEDNESDAY 15 JUNE—Report stage of the Local Government (Wales) Bill *[Lords]*.

THURSDAY 16 JUNE—Until about seven o'clock, Third Reading of the Local Government (Wales) Bill [*Lords*].

Motion on the Care of Cathedrals (Supplementary Provisions) Measure. [HON. MEMBERS: "Hear, hear."] I see that the House is already in holiday mood.

FRIDAY 17 JUNE—Private Members' motions.

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday 15 June to consider European Community document No. 4187/94 relating to vocational training policy and any further documents relating to vocational training policy recommended by the European Legislation Committee for debate.

[Wednesday 15 June:

European Standing Committee B—Relevant European Community document: 4187/94, Vocational Training (Leonardo da Vinci programme). Relevant reports of the European Legislation Committee: HC 48-xiv (1993-94) and HC 48-xvii (1993-94).]

Mr. Brown: I thank the Leader of the House for his distinctly populist business statement. However, I am disturbed to see that there is no Opposition day. It is difficult to see how the full complement of Opposition days—the number that we are required to have under Standing Orders—will be given in the time that remains available to us. Is not the problem compounded by the fact that we are still due a further three days in Government time to debate economic affairs following the unified Budget process?

There is still a great deal of anger in the House and, indeed, the country about how the Government have used civil service time to sabotage private Members' Bills. The letter from Sir Robin Butler to my hon. Friend the Member for Oldham, West (Mr. Meacher), dated 13 May, does not provide an adequate response. We want an opportunity in Government time to debate the underlying principles involved in that series of issues.

Is the Leader of the House now in a position to respond to the point that I made to him last week about a debate, again in Government time, on the Child Support Agency?

Mr. Newton: I am not in a position to respond at this stage to the last of those requests. However, I note—I accept that it is not a complete answer to what the hon. Gentleman has said—that one of the longer Adjournment debates scheduled for tomorrow is on the Child Support Agency. That will provide at least some opportunity to air the relevant points. I will, of course, continue to bear the request in mind.

I simply do not accept what the hon. Gentleman said about amendments and the Cabinet Secretary's letter, which seems to me to cover the point fully and to which I do not propose to add at the moment.

I note the hon. Gentleman's comments about Opposition days and economic days and, as always, I will consider them as sympathetically as circumstances allow. Obviously, my sympathy cannot secure anything next week, but I hope that we shall have some Opposition days reasonably soon after the recess.

Dr. John G. Blackburn (Dudley, West): In view of today's announcement of the award of the contract for the national lottery, will my right hon. Friend the Leader of the House and my right hon. Friend the Secretary of State for National Heritage give consideration to an early debate about the national lottery?

Mr. Newton: I will certainly give the matter consideration, but I do not wish to excite too much hope.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I am grateful to the Leader of the House for making a concession to enable Parliament to return a day later after counting has been completed in all seats for the European elections. That will certainly go down well in the Sabbatarian areas of northern Scotland.

In a similar vein, will the right hon. Gentleman bear in mind the difficulties of the Scots with regard to school holidays and, soon after we come back, say when the summer recess may occur?

Is the right hon. Gentleman in a position to bring forward the necessary amendments so that the House can come to an early resolution about amendments to procedures in the House?

Mr. Newton: On the latter point, I do not think that the hon. Member for Newcastle upon Tyne, East (Mr. Brown) would mind my saying that I had a useful and constructive conversation with him yesterday which I hope will pave the way for further progress before too long. I also hope to have some opportunities to talk to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood).

On the first of the hon. Gentleman's points, for the moment I must simply say let us wait and see how things go. Obviously I should like the House to get up at a reasonable time for the summer recess, but we have quite a lot of business to consider.

Mr. John Biffen (Shropshire, North): Notwithstanding the prestigious nature of those who have twisted the arm of my right hon. Friend about the date on which we are to return from the Whitsun recess, I remind him that this country is full of more than enough injustice that is required to be debated by this place. The House should show a sense of priority and judgment, rather than indulging in this gimmick of a 24-hour postponement because of the counting of votes in the European elections.

Mr. Newton: I note my right hon. Friend's observations, but I do not think that it was unreasonable—indeed, I think it was right—to take account of serious representations from serious people who felt that they would experience problems in their parts of the country in fulfilling their political duties.

Mr. Roger Berry (Kingswood): Is the Leader of the House aware that the assistant chief executive of the London borough of Sutton received a letter from the hon. Member for Carshalton and Wallington (Mr. Forman) about the Civil Rights (Disabled Persons) Bill? It said:

"the Government has undertaken to provide sufficient time for the remaining stages of this Bill to be completed."

Can the Leader of the House tell us when the Government made that commitment?

Mr. Newton: The answer to the hon. Gentleman's question is no. I am not aware of the letter and I certainly do not propose to comment about it off the cuff.

Mr. Spencer Batiste (Elmet): When does my right hon. Friend think that there will be time for a debate about the Information Committee's report on the parliamentary data and video network system?

Mr. Newton: I certainly hope to be able to provide time for such a debate before the summer recess, but I cannot promise a specific date at the moment.

Mr. John Spellar (Warley, West): I draw the attention of the Leader of the House to early-day motion 1294.

[*That this House notes that it is a year since responses to the Government's consultation Paper on wheelclamping had to be received; deplores the failure of the Home Office to produce proposals on private wheelclamping; and calls for urgent action by Government to put an end to this menace.*]

Does he not agree that it is outrageous that it is now more than a year since replies to the Government's consultation document about wheel-clamping had to be received? Will he urge his right hon. and learned Friend the Home Secretary to bring proposals to the House at a very early stage so that we can put an end to the scandal once and for all?

Mr. Newton: I will certainly bring the question to my right hon. and learned Friend's attention. Clearly, it is a difficult issue which does not permit any quick and easy solution, but we shall make our conclusions known as soon as possible.

Mr. Patrick Cormack (Staffordshire, South): How does my right hon. Friend justify his continued refusal to have a debate on the Balkans?

Mr. Newton: The situation in the Balkans is one on which, as my hon. Friend knows, I have repeatedly made it clear that the Government would make judgments about statements and debates as circumstances developed. I have not judged it right in recent weeks to provide time for such a debate. Obviously, if I judge that it is necessary, I shall.

Mr. Dennis Skinner (Bolsover): Surely we cannot keep hearing talk about longer and longer holidays for Members of Parliament. The Leader of the House has just announced another one today. Is he aware that chances are that in this year Parliament will have been in session less than seven months and will have had more than five months' holidays while we cannot find Government or parliamentary time to debate the Bill for 6.5 million disabled people? It really is a scandal. Instead of having an extra day to count the tinpot results from the Common Market, we should sit in here until the Civil Rights (Disabled Persons) Bill is passed.

Mr. Newton: Despite what the hon. Gentleman has said, the number of days that the House has sat in recent parliamentary Sessions, and is likely in this one, is not very different from what it has been for many previous years.

Rev. Martin Smyth (Belfast, South): May I thank the Leader of the House for extending the recess, given that the House inflicted on Northern Ireland proportional representation, which takes three times as long to count?

On the day when the Carers National Association is having a Lobby in the House, may I draw the Leader of the House's attention to early-day motion 1176 which was signed by more than 70 hon. Members?

[*That this House welcomes the publication of the Carers National Association report 'Community Care-Just a Fairy Tale?'; and calls upon the Secretary of State for Health to introduce assessment for carers, along with a sitting service and respite care, so that the expectations of the community care system may be fulfilled.*]

Will he find time for an early debate on care of the carers as well as care of cathedrals?

Mr. Newton: I was aware of the reception this evening. Indeed, I had hoped to attend, though I suspect that I shall be tied up on the Floor of the House with the Spring Adjournment motion. However, I send it my best wishes and take note of the hon. Gentleman's request for a debate.

Sir Ivan Lawrence (Burton): Some heat has been generated today about the fact that we are not to be allowed to resume the activities of the House on Monday 13 June. Is my right hon. Friend aware that there was a whole period of the House's sitting when we were not able to leave the place because we could not get a taxi? Some well-meaning person had apparently complained about the noise of the bell that summons taxis and, as a result, the Serjeant at Arms apparently issued an order to the engineers department to cut off the bell so that we could not leave the Members' entrance to get a taxi. That may have come to an end, but can my right hon. Friend give an undertaking to the House that we will in future be able to call taxis in the time-honoured tradition of this place?

Mr. Newton: I do not think that it is quite in my power to give such an undertaking on my own authority, but I certainly hope that my hon. and learned Friend's request will have been heard by those who have that power.

Dr. Robert Spink (Castle Point): Will my right hon. Friend find time after the recess to debate the collapse into receivership of part of Peter de Savary's empire and the impact that it will have on the ability of my right hon. Friend the Secretary of State for the Environment to enter into a section 106 agreement with Peter de Savary's empire regarding land on Canvey Island in my constituency?

Mr. Newton: I well understand why my hon. Friend raised the matter, in view of his constituency concern. My proper response is to undertake to draw that point to the attention of my right hon. Friend.

Mr. D. N. Campbell-Savours (Workington): The Leader of the House will recall that Madam Speaker felt

[Mr. D. N. Campbell-Savours]

unable to give precedence to a motion referring the Scott complaint to the Committee of Privileges. As I understand the rules of the House, the Minister does not need that to trigger a reference being made to the Committee of Privileges. He himself can move that motion. Will he do so in the week that we return?

Mr. Newton: I have no intention whatever of doing so. I would wish to pay greater heed to the ruling of Madam Speaker on the matter and her attitude to my right hon. Friend's personal statement than the hon. Gentleman does.

Mr. Harry Greenway (Ealing, North): May we have an immediate debate on the administrative arrangements for the European elections? I wish to draw to the attention of the House the fact that most of my constituents and people in the rest of Ealing which does not fall in my constituency still have no polling cards—or where they do, they are usually given the wrong polling station—

Madam Speaker: Order. Are we on next week's business?

Mr. Greenway: We are, Madam Speaker; I have asked for a debate on this matter.

Madam Speaker: Well, get on with it then.

Mr. Greenway: There has been the most almighty cock-up by the new Ealing Labour council and this House should hear about it.

Mr. Newton: I am not sure that I would care simply to repeat my hon. Friend's graphic description of what has happened, but I hope that his words will be noted. For my part, I have enough problems without becoming a returning officer in the European elections.

Mr. Greville Janner (Leicester, West): May we please have an early debate on the awful and continuing menace of vandalism in schools, especially in my constituency where I visited six schools last week? Will the right hon. Gentleman please ask the Secretary of State for Education to recognise the seriousness of this matter for schools whose budgets are already overstretched? Rather than just pay tribute with me, as I am sure the right hon. Gentleman would, to the schools, the staff and the police, will he look at ways in which they can really be helped in such very difficult times and in dealing with such an awful plague?

Mr. Newton: I am sure that my right hon. Friend would wish to acknowledge the seriousness of the problem—another one to which there is no simple answer. I am sure that he will consider what the hon. and learned Gentleman has said.

Mr. Andrew Faulds (Warley, East): In view of the appalling circumstances—*[Interruption.]* If one or two of the rest of us could get a word in uninterrupted!

In view of the appalling circumstances in the former Yugoslavia, and in view of the admirable services rendered by our military chaps over there, is not it time that the House had an opportunity to debate these matters and to back up our military chaps against the very adverse circumstances they face because of the decisions of other parties outside this House?

Mr. Newton: I have already made some comment on the question of debate here and obviously I will bear the hon. Gentleman's representations in mind.

Mr. Bruce Grocott (The Wrekin): As the recess will include a statutory bank holiday, which we all hope will be enjoyed, as usual, by millions of people, will a Minister come to the House to reassure hon. Members that there is no Government plan to scrap this bank holiday as there was to scrap the popular May day bank holiday? When will the Government acknowledge that they got it hopelessly wrong and had to do a U-turn, for which we are all grateful?

While he is about it, could that Minister explain why Britain has fewer statutory bank holidays than any other country in the European Community—*[Interruption.]* I am referring to statutory bank holidays. As Conservative Back Benchers get very confused over simple matters, shall we distinguish between recesses and statutory bank holidays? I am asking the right hon. Gentleman about statutory bank holidays and about what reassurance the Government will give us that there is no plan to attack the remaining bank holidays.

Mr. Newton: The hon. Gentleman may draw such a distinction, but the net result would be another parliamentary day off. My right course might be to put him in touch with his hon. Friend the Member for Bolsover (Mr. Skinner).

Mr. David Jamieson (Plymouth, Devonport): Can the right hon. Gentleman find time after the recess for a debate about the way in which competitive tendering of local authority services is operating? This week, the way in which contracts have been awarded for school meals in Cornwall has thrown very serious doubt on the competence and integrity of the ruling Liberal Democrats in Cornwall, who will put more than 1,000 people's jobs at risk.

Mr. Newton: I sometimes feel that the European elections are being fought with me in the middle of the battlefield. I shall not comment on the case raised by the hon. Gentleman, but I am sure that it will be noted by those at whom it is directed.

Sir Nicholas Fairbairn (Perth and Kinross): On the question of bank holidays, is my right hon. Friend aware that when the late leader of the Labour party, Mr. Michael Foot—*[Interruption.]*—the ex-leader, introduced May day as a bank holiday it was called Union day? But what was not known was that that was the date when Scotland and England were united under the Act of Union. That is how it should be celebrated.

Mr. Newton: I do not think that I can better that. I am grateful for that additional piece of learning. My own recollection of the right hon. Gentleman, who is a former Leader of the Opposition and former Leader of the House, is of his record in announcing five guillotines on one day.

Mr. Max Madden (Bradford, West): Will the Leader of the House arrange for the Foreign Secretary to make a statement as soon as possible confirming or denying that instructions have been sent to all British overseas posts saying that, in future, those who require a visa to visit the United Kingdom shall only be able to visit for a much shorter period than the current six months? If those reports are true, will the Leader of the House understand that they contrast very ill with this week's announcement that, in future, millionaires, however dodgy, and however unsavoury the source of their income, will be able to settle and live in this country with the greatest of ease?

Mr. Newton: I do not accept the linkage that the hon. Gentleman seeks to make. I shall bring the substantive part of his question to my right hon. Friend's attention, and I make the point that my right hon. Friend is here to answer questions on the first Wednesday that we are back.

Mr. Ieuan Wyn Jones (Ynys Môn): Is the Leader of the House aware that I am pleased that he was able to tell the House this afternoon about the progress that is being made in discussions between himself and the Labour party, and possibly the Liberal party, about the Procedure Committee report on changing the procedure in the House? Is he further aware that there is tremendous support for those changes on these Benches? In view of the progress that is being made, may I push him a little and ask him when he thinks that he might be able to come back to the House to report progress?

Mr. Newton: I do not think that the hon. Gentleman can push me very far. What I said was that I had had a constructive conversation with the hon. Member for Newcastle upon Tyne, East (Mr. Brown) yesterday. Both of us would hope to be able to make some progress in the next couple of months, but that will depend on how those conversations go. That would be what we would like if we can achieve it. As to the support from the hon. Gentleman's Benches, I wish that he could spread it two Benches in front of him.

Ms Liz Lynne (Rochdale): May I draw the attention of the Leader of the House to early-day motion 1190 in my name?

[*That this House condemns the actions of the honourable Members for Sutton and Cheam, Hertsmere, Bristol North West, Gainsborough and Horncastle and Bury St. Edmunds, who, in collusion with the Government, very seriously delayed the progress on the Civil Rights (Disabled Persons) Bill, against the wishes of this House and the over six million disabled people of Britain; calls upon the honourable Members to withdraw the remaining amendments tabled in their names but drafted by the Government; calls on the Government to end the practice of giving selected backbenchers the support of Parliamentary Counsel in order to derail Bills; and further calls for measures to be taken to ensure that the wishes of this House cannot be overridden by an overmighty executive or by the filibustering of individual honourable Members.*]

May we have a debate on that subject as soon as possible after the recess, as well as a debate on the legislation on civil rights for disabled persons which the Government so disgracefully talked out last Friday?

Mr. Newton: I have made a number of comments on that matter, both today and on earlier occasions. I really do not think that I can usefully add to what I have said.

Mr. Mike Gapes (Ilford, South): Will the Leader of the House talk to the Secretary of State for Transport and arrange for an early debate on the appalling and deteriorating transport system in Greater London? In particular, I draw attention to the contrast between the situation in London and that in other European capital cities that have a strategic authority, such as Paris, and other places where there is coherent planning?

Mr. Newton: As the hon. Gentleman will have heard, some of my hon. Friends were commenting during his remarks. He might in the first instance talk to those of his colleagues who did not share his objectives in relation to the Crossrail Bill.

Hon. Member for Sutton and Cheam

3.53 pm

Madam Speaker: I have a statement to make. On 9 May, the hon. Member for Sutton and Cheam (Lady Olga Maitland) rose on a point of order and said, in relation to amendments in her name to the Civil Rights (Disabled Persons) Bill:

> "I would like to make it abundantly clear that I raise my own amendments. I sought consultation, but it would be totally unfair to suggest that they came from any other source."—[*Official Report*, 9 May 1994; Vol. 243, c. 23.]

The hon. Lady has now written to me to say that she was anxious to accept personal responsibility for the amendments in her name, and that she did not intend to imply that they had not been drafted by others in the first instance.

I cannot accept that the words

> "it would be totally unfair to suggest that they came from any other source"

did not amount to a denial that the amendments had been drafted by others. At the time the hon. Lady volunteered her disclaimer, the House had already been told that the amendments had been drafted by parliamentary counsel. Her statement did not so much mislead the House as exasperate it.

In this respect I believe that the hon. Lady's statement fell below the standards that the House is entitled to expect from its Members. I strongly rebuke her for her conduct on that occasion.

Lady Olga Maitland (Sutton and Cheam): In the light of your statement, Madam Speaker, may I make an unreserved apology to you and the House?

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 24 JUNE

Members successful in the ballot were:
Mr. Simon Coombs
Mr. Tony Banks
Sir Gerard Vaughan

WELSH GRAND COMMITTEE

HEALTH CARE

Motion made, and Question put forthwith pursuant to Standing Order No 98 (5) (Welsh Grand Committee),

That the Matter of health care in Wales, being a Matter relating exclusively to Wales, be referred to the Welsh Grand Committee for its consideration.—[*Mr. Kirkhope.*]

Vehicle Identification

3.56 pm

Mr. John Whittingdale (Colchester, South and Maldon): I beg to move,

That leave be given to bring in a Bill to require new vehicles to display a visible vehicle identification number.

The purpose of the Bill is to assist the police in catching car thieves and preventing car crime. The latest figures for car theft show an increase last year in the number of stolen vehicles to nearly 600,000—about one every minute.

Earlier this week, the RAC revealed that motorists in England and Wales bear a greater risk of having their cars stolen than any other drivers in the world. Even more worrying is the growth in professional car crime, in which cars are stolen by organised gangs rather than by joyriders. That is shown clearly in the sharp rise in the proportion of vehicles that are stolen and never seen again. That proportion has now reached 38 per cent. in the country and 50 per cent. in London.

The requirement in my Bill for the fitting of visible vehicle identification numbers—"visible VINs"—will not solve the problem, but it will make a difference by making it easier for police officers to spot a stolen car and harder for car thieves to disguise one. There is already a requirement for all cars to carry a vehicle identification number; but, far from being easily visible, the number often presents the motorist with a considerable challenge. Even finding the number requires him first to locate the plate that is fixed in the engine compartment under the bonnet, and then to scrabble around under the carpet next to the driver's door, where it is usually stamped into the chassis.

Even if the cautious purchaser of a second-hand car succeeds in finding the number, he still cannot be sure that the car is genuine and has not been ringed. Car ringing is becoming a major industry. Every day smashed-up cars are being sold in salvage yards for far more than they are worth; the write-offs are being bought not for the value of their parts or for scrap, but simply for their identity.

Having bought a write-off, the professional car thief will go out and steal a car of identical make and model. New licence plates can be fitted in just a few minutes; then the VIN on the chassis is tampered with, or the metal on which it is stamped is cut out and the VIN of the write-off is welded in its place. If the thief did not acquire a vehicle registration document, he need only contact the Driver and Vehicle Licensing Agency to be sent a new one.

The result will be that the thief has a car that appears entirely legitimate because it has a licence plate and a VIN that match those on the vehicle registration document, of which he is the legal owner. I recently visited the stolen vehicle squad, where I saw several vehicles that had been ringed in that way. It was only after careful forensic examination by experts that that was discovered.

I pay tribute to the officers of the Metropolitan police's stolen vehicles investigation squad for their work and for the help that they have given me in preparing the Bill. Although comprising only 45 officers, it has had considerable success. Last month alone, its efforts resulted in the arrest of 22 people and the recovery of property worth more than £2 million. Those officers are still only scratching the surface of the problem and they believe that visible VINs would be a major weapon in the defeat of car crime.

To be effective, the VIN must be placed so that it can be seen through the windscreen by a police officer on the beat and it should not be accessible from inside or outside the vehicle. The police recommend that it should be recessed into the dashboard at the front nearside A-pillar and that it should be visible through a gap in the obscuration band.

Supported by a wide range of companies involved in the motor industry, the European secure vehicle alliance, an all-party parliamentary group of the House, has drawn up a specification for visible VINs which is supported by the police. In particular, the visible VIN should be designed in such a way that tampering and removal is obvious to the naked eye.

Several manufacturers are already fitting visible VINs. Some are etching the number on to the windows of the vehicle. That is better than nothing, but it is not sufficient, as windows may be easily replaced or the number altered. Plates stuck to the top of the dashboard are also inadequate, as they are easily accessible and may be prised off.

I understand that the Ford Motor Company initially adopted that approach. The new Mondeo has a visible VIN, fitted in the manner approved by the police, as do BMWs and Jaguars. The Home Office has called on other manufacturers to follow their example.

For several years, a number of states in the United States of America have had a requirement for visible VINs. The director of Michigan state police recently wrote to the stolen vehicle squad, saying that the

"visible VIN is an invaluable tool for both our patrol officers and autotheft investigators. The VIN plate is easily checked and extremely difficult to alter."

In preparing the Bill, I have been extremely grateful for the support of a number of organisations. I have already mentioned the European secure vehicle alliance and the Metropolitan police's stolen vehicles squad. Their assistance has been invaluable. I have received a letter from Mr. Taylor, assistant commissioner of the Metropolitan police and secretary of the crime committee of the Association of Chief Police Officers, saying that the visible VIN was recently considered by ACPO's crime committee and was strongly supported. He states that it will help not only to defeat the car thief but to uncover getaway cars used in many other types of crime, including armed robbery and terrorism.

The Association of British Insurers has written to me to say that it

"fully supports the introduction of such a system and has been calling for it for many years."

The RAC made clear its strong support for the introduction of visible VINs by all car manufacturers, together with legislation to make it an offence to tamper with a VIN.

Visible VINs alone will not defeat car crime. The prudent motorist can take a number of other measures. The national vehicle security register is run by Retainacar and provides information about the history of a motor car, which could be easily checked by dealers and those considering the purchase of a second-hand vehicle.

Immobilisers and car alarms are also effective in deterring car thieves. In the short time that it has been available, the new tracker device, which can be fitted inside a vehicle and is activated by remote control if a car is stolen, has been remarkably successful both in achieving the recovery of a stolen vehicle and the capture of those responsible.

However, the measure proposed in the Bill is simple, and has already been shown to have a significant impact on cutting car crime. It has long been called for by the police, and is supported by the insurance industry, manufacturers and the public. The only people likely to oppose the measure are the car thieves. I therefore commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. John Whittingdale, Sir Ivan Lawrence, Mr. David Marshall, Mr. Robert Maclennan, Mr. Bob Dunn, Mr. Barry Sheerman, Mr. Stephen Day, Mr. David Lidington, Mr. Michael Stephen, Mr. John Sykes, Mr. Geoffrey Clifton-Brown and Mr. Michael Brown.

VEHICLE IDENTIFICATION

Mr. John Whittingdale accordingly presented a Bill to require new vehicles to display a visible vehicle identification number: And the same was read the First time; and ordered to be read a Second time upon Friday 15 July, and to be printed. [Bill 123.]

Adjournment (Spring)

Motion made, and Question proposed,

That this House, at its rising on Thursday 26th May, do adjourn until Tuesday 14th June.—*[Mr. Kirkhope.]*

4.5 pm

Mr. Alfred Morris (Manchester, Wythenshawe): On 29 April, the hon. Member for Exeter (Sir J. Hannam), much to his honour, initiated a debate on the motion:

> "That, in the opinion of this House, Her Majesty's Ministers should provide sufficient time on the floor of the House before 27th May 1994 to allow all remaining stages of the Civil Rights (Disabled Persons) Bill to be completed, and that sufficient time be provided before the end of the Session for the consideration of any Amendments to the Bill which may be made by the House of Lords."—[*Official Report*, 29 April 1994; Vol. 242, c. 497.]

The motion was approved by the House, entirely without dissent, and merited not only a quick and positive oral ministerial response, but also ungrudging implementation by the Government. Yet the will of the House, as expressed by the motion, is still being ignored, some will say contemptuously ignored, even as we debate the rising of the House for the Spring Adjournment. Indeed, much apart from respecting the will of this House, the Government made clear, both on 6 and 20 May, their determination to wreck the Bill by fair means or foul, and plumbed new depths of parliamentary skulduggery last Friday.

The whole country saw then what the Prime Minister's recent promise of "less confrontation, more decency" means in practice. He made that promise in an address to Scottish Conservatives in Inverness when paying tribute to the memory of our late and deeply mourned colleague, John Smith, the weekend before last.

But never was there a more blatant act of indecency than was witnessed in this House on the day of John's funeral last Friday, when, as my hon. Friend the Member for Kingswood (Mr. Berry) said, the Minister for Social Security and Disabled People, having already had to apologise, in a personal statement to the House, for his conduct in the debates on the Bill on 6 May, "cynically talked out" a measure whose only purpose is to give full citizenship to Britain's 6.5 million disabled people.

Mr. Jacques Arnold (Gravesham): Will not the right hon. Gentleman confirm that when the Labour Government and their Labour predecessors were in office that kind of parliamentary activity in respect of private Members' Bills was normal practice? Does he deny that Labour Governments have ever acted against private Members' Bills in that manner?

Mr. Morris: The answer to that question was given by his hon. Friend the Member for Exeter (Sir J. Hannam) when he moved the motion to which I referred. On 29 April, he pointed out that under the last Labour Government a great many Bills to which the Government were not especially friendly were allowed to proceed to the statute book. In the particular case of my own Chronically Sick and Disabled Persons Bill, it reached the statute book in 1970, in spite of initial opposition from Ministers.

Quite definitely, the balance has been tilted very heavily against the private Member over recent years. I am grateful to the hon. Member for Exeter for detailing so thoroughly the change there has been in ministerial attitudes to private Members' Bills over recent years. A great many Bills now are Government Bills masquerading as private Members' Bills. Indeed, I am sure that it would be helpful to the

[Mr. Morris]

House if, in parentheses after the short title of a Bill, the letter G could appear to indicate that the Bill is one drafted by the Government, if that is the case. There has been a marked change in the treatment of private Members' Bills on the Floor of the House and we need very urgently, I believe, a constructive report about this from the Select Committee on Procedure. I rejoice that it is looking at the procedure for private Members' Bills, and I am totally certain that it will make helpful proposals to this House.

The House will understand—

Mr. D. N. Campbell-Savours (Workington): Will my right hon. Friend confirm that any and every disablement group in the whole of the United Kingdom may write to the Chairman of that Committee and ask to be heard by that Committee? It does not necessarily follow that they will be heard, but their letters will be treated as evidence by that Committee when it considers these matters. Every group involved in this matter in the United Kingdom is now free to make representations to Parliament.

Mr. Morris: The Select Committee on Procedure has been extremely kind. It has already written to many people to ask if they have evidence to offer members of the Committee. I have no doubt whatever that it will make it clear that information is welcomed not only from both sides of this House but from anyone living anywhere with an interest in private Members' legislation who has constructive proposals for it to consider.

The House will understand my strong feelings, as the Civil Rights (Disabled Persons) Bill's author, about the disgraceful way in which it has been treated by the Government over the past two and a half years. When I first brought the Bill to the House in December 1991, the Minister for Social Security and Disabled People said that his attitude to it was one of "benevolent neutrality". Last Friday, his behaviour in talking it out was seen by disabled people everywhere—I quote one of their leaders—as an act of "malevolent hostility" to the Bill.

If the Leader of the House is still in any doubt about the feelings of disabled people in regard to what happened last Friday, he should speak to the editor of the *Evening Echo* in Chester Hall lane, Basildon, about a reader's letter sent to him by Denise Smith of Rayleigh in Essex last weekend. Denise broke her neck in a car accident. She states that her self-esteem plunged last Friday to "an all-time low" and that she was left feeling that an apology was being demanded "for my very existence". Her letter continues:

> "The Minister has now made it blatantly clear that anyone with a disability is well and truly second-class and cannot expect to be treated as a person who could, given the chance, be a useful member of society."

That eloquent comment from Denise Smith of Essex is highly representative of the mass of letters that I have received since last Friday.

When the Bill commenced its Report stage on 6 May, the Minister for Social Security and Disabled People was asked whether he or his Department had been

> "in any way involved in the drafting of any of the amendments or the new clause tabled by the hon. Members for Sutton and Cheam . . . for Bristol, North-West . . . and for Bury St. Edmunds".—[*Official Report*, 6 May 1994; Vol. 242, c. 991.]

The right hon. Gentleman replied that he had played

> "No part whatever in the drafting of any of the amendments and, to the best of my knowledge, nobody in my Department has been involved in the drafting of any of the amendments in this area."

We now know that what the right hon. Gentleman said then was untrue, but we did not find out the whole truth until I tabled a parliamentary question for priority reply on 18 May asking:

> "on what date the Minister for Disabled People authorised his Department to instruct Parliamentary Counsel on the drafting of the amendments tabled to the Civil Rights (Disabled Persons) Bill by five hon. Members on 3 May."

In total refutation of what he had told the House at column 991 on 6 May, the Minister's reply to my question stated:

> "On the 20 April 1994 I authorised my officials to instruct Parliamentary Counsel to draft amendments."

It was that parliamentary reply that proved conclusively that the Minister's response to an intervention from my hon. Friend the Member for Workington (Mr. Campbell-Savours), at column 991 on 6 May, had very seriously misled the House and that now the Prime Minister was also involved, since, in a letter of 5 April to my hon. Friend the Member for Durham, North (Mr. Radice), the Prime Minister wrote:

> "It is clearly of paramount importance that Ministers give accurate information to the House. If they knowingly fail to do this, then they should relinquish their positions."

In the reply given to my parliamentary question of 18 May, the Minister for Social Security and Disabled People made it pikestaff plain that, 16 days before, he told the House on 6 May that he had "no part" in the drafting of the 80 wrecking amendments and that

> "nobody in my Department had been involved in the drafting of any of the amendments",

he had, in fact, authorised his departmental officials

> "to instruct Parliamentary Counsel to draft amendments."

In his personal statement of apology to the House on 9 May, the Minister regretted, in the understatement of the century, that he had not made "a fuller explanation" earlier of his Department's role in drafting the 80 amendments tabled by the five hon. Members. He could, of course, have given us all the facts about his Department's role in the debate on the motion of the hon. Member for Exeter on 29 April, on which he spoke at considerable length and on which I now ask for action before the House rises for the Spring recess. That the Minister did not take the opportunity given by that debate on 29 April—nine days after he had instructed his officials, in effect, to wreck the Bill—is a source of deep and enduring concern to right hon. and hon. Members on both sides of the House and in all parties.

It really is totally essential that we should have a full ministerial statement of the Government's attitude to the motion of the hon. Member for Exeter. The Leader of the House must know that the Civil Rights (Disabled Persons) Bill has the backing of a clear parliamentary majority and an even more emphatic majority of the British people, including all disabled people; that it has already been approved at all stages in the House of Lords; and that, but for the wrecking tactics used against the Bill, it would be now be awaiting Royal Assent. The Government can no longer be allowed to pretend that they are right and everyone else is wrong. It was Oscar Wilde who said, among friends, after the disappointing first night of one of his plays:

> "The play was a great success, but the audience a failure."

This is the Government's position in relation to the public reaction to their obstruction of the Civil Rights (Disabled Persons) Bill. Their task now is to join with all of us, in all parts of both Houses of Parliament, who want urgently to try to restore some faith among disabled people in political decency and parliamentary democracy. Nothing could achieve that more quickly, or more surely, than a statement today from the Leader of the House accepting the call of the hon. Member for Exeter on the Government for the parliamentary time needed to enact the Civil Rights (Disabled Persons) Bill in this Session of Parliament.

4.19 pm

Mr. Patrick Cormack (Staffordshire, South): I am sorely tempted to follow the right hon. Member for Manchester, Wythenshawe (Mr. Morris), not least because I was somewhat caught up in the events of last Friday. I intend to speak on a very different subject, but I will say that I believe that he made a powerful speech. He has been a doughty campaigner for the disabled for longer than I have been in the House, which is 24 years. I regret the manner in which the Civil Rights (Disabled Persons) Bill has been dealt with, as my right hon. Friend the Leader of the House knows.

My right hon. Friend will not be surprised to know that I intend to talk about the Balkans. My right hon. Friend the Member for Shropshire, North (Mr. Biffen) said this afternoon that he thought that it was a scandal that the House would not sit on Friday or on 13 June because several important domestic subjects—we have just heard about one of them—would not be debated. It is greatly to be regretted that we are not taking the opportunity of using one of those days for debating what is, by any standards, one of the greatest international crises since the war—arguably the greatest and the one fraught with the most danger.

Mr. Dennis Skinner (Bolsover): Vietnam was worse.

Mr. Cormack: The hon. Gentleman, for whom I have great respect, says from a sedentary position that Vietnam was worse. I am not sure that he is right; certainly in terms of the European continent he is not right. However, I will not be diverted by the hon. Gentleman because I want to make one or two—I hope—important points.

I emphasise the fact—again, this will come as no surprise to my right hon. Friend—that I strongly deprecate the fact that the House has not been given the opportunity more often to debate the crisis in the former Yugoslavia and, in particular, the terrible events in Bosnia. Throughout the whole of this long, tragic saga, we have hardly had an opportunity to debate the issue exclusively. We had a brief, three-hour debate introduced by the Liberal Democrats on a Supply day. If my memory serves me correctly, we have had one debate on the Balkans in Government time. We have had one or two foreign affairs debates in which it has been germane to mention the matter, but the House has not focused its attention as much as it should have done.

When the House neglects to debate these matters, it marginalises itself, because what is happening in the Balkans is of enormous significance to us all. I do not want to go over that point again because I have taken every possible opportunity to speak on the subject. I have spoken about the atrocities and about the mistakes made by leaders in this country and elsewhere in tackling the matter. I regret the prevarication and the wrong signals which have repeatedly been given to the aggressors. My right hon. Friend knows all that.

Although I am, indeed, criticising my right hon. Friend for not giving us the time for a debate, I thank him for his unfailing courtesy and I thank my right hon. Friend the Foreign Secretary who, on many occasions, has received the officers of the all-party Bosnia group to discuss the matter. Although we have not always come away happy with the outcome of our discussions, my right hon. Friend has made himself available most generously; for that, at least, we are grateful.

Let me come to my two main points. I refer the House to a meeting that took place within the precincts of the Palace of Westminster yesterday. Sadly, it was not well attended by hon. Members; one understands the many competing demands on our time. Yesterday, we had a visit from a remarkable body—the Serbs Citizens Council.

During all the debate on the situation in Bosnia, there has been a regrettable tendency for people to talk as if the war was a simple civil war, which it manifestly is not, and to ignore the fact that it started very much as aggression from another country against a sovereign state which we have recognised. There has been a regrettable tendency too to talk about the warring factions. That is an insulting term because one of them is in fact the legitimately recognised Government of a sovereign state. In all parts of the House and the country, there has also been a tendency to claim —I am certainly not singling out the Government for blame here—that we are dealing with the Serbs, the Muslims and the Croats.

When Sarajevo hosted the winter Olympics a little over 10 years ago, the city was held out as an example of—I do not like the phrase because I think it clumsy—multi-ethnic co-operation. People lived side by side in harmony. They intermarried. They respected each other. They worked together. All that—or, rather, a lot of that—has been literally blown asunder in the past two and a half years. I corrected myself there because all of it has not been blown asunder: the fact remains that the Government of Bosnia, whom we recognise, are still a Government composed of Muslims, Croats and Serbs.

The members of the Serbs Citizens Council who came to see us yesterday emphasised that fact. They made some important points which should be put on the record. They referred to the Assembly of Citizens of Bosnia-Herzegovina of Serbian nationality which was held on 27 March this year, in which more than 500 delegates from all parts of Bosnia-Herzegovina took part. They said that the assembly provided a platform for the opinions of the estimated 200,000 Serbs residing in the free territory—the territory still controlled by the Bosnian Government. They made the point that the war criminal Karadzic—and they called him that—represented no more than 40 per cent. of the Serbs in Bosnia-Herzegovina.

I could recite the facts and figures. If I did so, the House would no doubt be interested but it would perhaps also be unduly detained. Let me make one point above all others. The two people who were speaking for the council yesterday were Mr. Goran Simic, who is a poet and essayist, one of the founders of PEN in Bosnia and the president of the Cultural Association of Serbs in Bosnia-Herzegovina, and a lady, Nada Salimovic, who is the president of the Centre for Peace in Sarajevo.

We were much moved by what those two visitors had to say. In particular, the lady turned to us and said, "I am a Serb but I do not think of myself just in those terms. I am a citizen of Bosnia. I am married to a Muslim. Our children have been brought up to respect different points of view and different cultures. We are part of European civilisation." And they are.

[Mr. Cormack]

It is to the lasting discredit of us all that European civilisation has been torn asunder in that land over the past two and a half years, and it is to the lasting discredit of us all that we have not been able more effectively to deal with the situation. I do not belong to the "something must be done" school because I think I can claim that I warned the House about the war before it even started. I initiated the first debate at 3.20 am in early December 1991—some five months before the Bosnian war erupted—urging that we should put in air and naval patrols to deter the Serb aggression in Croatia and to protect Dubrovnik. I still believe that, had we been resolute at that time, up to 250,000 lives could have been saved and the 3 million people in Europe who are refugees would not be refugees.

Throughout the Bosnian conflict, I—and members of all parties—have consistently advocated a tougher and more resolute approach. Approximately 60 hon. Members have signed an early-day motion stating that, in the wake of Gorazde, the rest of the safe havens must be safe. It also draws attention to the fact that we proved in Sarajevo that, if one not only talks tough but acts tough, one gets results. Ultimately, we should be prepared not to put in masses of ground troops but to allow the Bosnian Government to defend themselves and give them air cover in so doing.

What is morally wrong can never be politically right. It is immoral that, when we recognise a sovereign state, we do not go to its aid or give it the means to defend itself or allow it the means to acquire the necessary weapons—it is not as if we are being asked to hand over the weapons personally. There is no point in saying that there is an embargo across Yugoslavia. Yugoslavia does not exist, and we recognise its component parts as sovereign states.

According to what we were told at yesterday's meeting with the Serbs, it appears that there is a very large number of people—I have no way of confirming or challenging the figures—of Serbian background and nationality in Bosnia who think of themselves as Bosnians first and Serbs second and who wish to defeat fascism and to see a victory for democracy. It is essential that we recognise that fact. It would be utterly scandalous if, without debate—or even with debate, for that matter—we allowed the Bosnian Government to be browbeaten into a settlement that recognises and rewards ethnic cleansing and the changing of boundaries by force. The message that that would send not only to Europe—one has to think of the many fragile situations in eastern and central Europe and the former Soviet Union—but beyond about the impotence of the so-called new world order would be dire indeed. I urge my right hon. Friend the Leader of the House to relay these points to my right hon. Friends the Foreign Secretary and the Prime Minister; I regret that I am unable to do so in the course of a proper debate on Bosnia and the Balkans.

With the strong support of my fellow officers in the all-party group, I have often suggested that a summit meeting be held for the leaders of the four permanent members of the Security Council involved. President Yeltsin made the same suggestion, but after we had made ours; perhaps he read our press releases. I have raised this issue in questions on the Floor of the House and in letters to my right hon. Friend the Prime Minister who has generously agreed to meet the officers of the all-party group shortly after the House returns from the recess. I am extremely grateful for that, but events are not standing still.

I should like to think that, in the fortnight during which the House is not sitting, my right hon. Friend the Prime Minister will discuss with Presidents Yeltsin, Mitterrand and Clinton the convening of a conference on the Balkans. Such a conference would make President Milosevic—who is the arch-villain—aware that he and his warlords, Mladic and Karadzic, will not be allowed to get away with murder, to keep their brutally gotten gains or to succeed in ethnic cleansing. Perhaps only a meeting at that level and of that importance can impress on the world that—for all that we have made mistakes—we are determined in that at least.

I do not know how many hon. Members have seen the film, "Schindler's List". I saw it during the Easter recess. I was much moved by it; I am sure that anyone who saw it must have been. When I came out of the cinema with my 22-year-old son, who is at university, who was also very moved by it, he said to me, "What you are talking about in Bosnia is very similar"—and it is. Even as we commemorate 50 years after D-day—I say "commemorate"—and 49 years after we celebrated a victory over fascism, deeds are being done in our own continent that are as despicable as those marked in that film.

Let no one be in any doubt. Appeasement plunged the world into catastrophe in the 1930s; appeasement can plunge the world into even greater catastrophe in the 1990s, as we approach the end of the millennium.

4.36 pm

Mr. David Winnick (Walsall, North): There is much in what the hon. Member for Staffordshire, South (Mr. Cormack) said—he said it very eloquently—with which I agree. The hon. Gentleman will know that, as some of my colleagues will remember, at various times when statements have been made to the House, I have indicated my view that we should not give in to appeasement, that we should be very much aware of the terrible crimes that have been committed in the former Yugoslavia, and especially in Bosnia, and that ethnic cleansing is totally unacceptable.

I remember Michael Foot's last speech—I believe that it was literally his last speech in the House—in which, in the most moving way, he described his horror at what the Serbians were doing. There was no doubt in his mind that it was the Serbian warlords, first and foremost, who were responsible for what is happening in Bosnia.

I can understand the Leader of the House giving the explanation that he did about the House coming back a day later after the Whitsun recess. I have no quarrel with that. However, I am not very happy about the way in which we seem to be drifting increasingly into longer and longer recesses. I know that the Leader of the House, although he did not actually deny that we were having longer recesses than previously, said that there was not much difference. However, it appears to be the case that, two years ago, in 1992, for example, we broke up in the middle of July—certainly a week earlier, if not more than that.

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton) *indicated assent.*

Mr. Winnick: I see that the right hon. Gentleman agrees with me. It will be interesting to notice the date that we break up for the summer recess this year.

Sometimes we have to explain to people outside this place the difference between holidays and recesses—that a recess is not necessarily a holiday. When I am holding my surgeries in July and August—I know that the same applies to other hon. Members; I am not praising myself in any way—I do not necessarily feel that I am on holiday. I do take a summer holiday, and it is wise to do so, but a distinction needs to be drawn.

I am not one of those who believe that it is useful to have longer and longer breaks from the House. One of the virtues of our parliamentary democracy is that ours is a full-time Parliament. "Full-time" obviously does not mean that we do not have recesses, which are necessary and perhaps needed for many reasons, but we should not drift into a situation where it is accepted, for example, that we break up in the middle of July and come back in the second or third week, or perhaps the last week, of October. We should be very careful about this.

Governments of all parties very often have good reason, especially when they are in difficulty, for not wanting the House to sit. For all the reasons with which we are very familiar, this is especially so in the case of the current Government, as will undoubtedly be demonstrated in the results of the European election of 9 June.

Mr. Newton: Although I do not wish to suggest other than that the hon. Gentleman is making his point in an extremely reasonable way or that his manner is uncharacteristic, I should point out that the very early July date to which he has referred had something to do with the disturbance in the programme that resulted from the Danish referendum of that year. A good deal of pressure is put on me to implement—in shorthand terms—the recommendations of the Jopling report. One of those recommendations is precisely what the hon. Gentleman is resisting.

Mr. Winnick: I note and appreciate what the right hon. Gentleman has said. I am not by any means in favour of all Jopling's recommendations. The suggested morning sittings, however, would at least be some sort of compensation. As I have said, this ought to remain a full-time Parliament.

I agree with the remarks of my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) about the Civil Rights (Disabled Persons) Bill, in respect of which the Government have acted very shabbily. Perhaps the majority of those in the country at large did not notice that the Bill was being debated. Conservative Members may believe me or not, as they wish, when I say that there is a strong feeling that disabled people have been treated shabbily. I am pleased about this feeling. It is felt—quite correctly—that Parliament too has been treated in a shabby way.

Bearing in mind everything that my right hon. Friend has said about the measure that was introduced by my hon. Friend the Member for Kingswood (Dr. Berry), I should point out that at no stage did the Government then say that they would oppose it. On 11 March, for example, no one voted against the Bill. The Prime Minister said that the matter would be considered carefully in Committee. In the course of the four Committee sittings no Government amendments were put forward. If the measure is wrong, for all the reasons that the Government have put forward, surely Ministers should have used the opportunity of the Committee stage to have it amended. What happened afterwards? On Report, 80 amendments—all of them wrecking devices prepared by the Government and drafted by parliamentary counsel—were tabled.

This is a disgraceful way to treat Parliament, and it is certainly a disgraceful way to treat 6.5 million disabled people. Just as groups have needed legislation to deal with discrimination on grounds of race, sex, or whatever else, so it is accepted that we need laws to protect the interests of the disabled. The sooner we have such legislation the better.

Mr. Hugh Dykes (Harrow, East): Does the hon. Gentleman agree that the House of Commons would be much improved if, as he has suggested, we were to spend more time debating crucial national, regional and policy issues and to accept much less legislation of poor quality from any Executive, of whatever colour? No Executive should interfere with private Members' legislation that has cleared the hurdles of Committee stage and so on.

Mr. Winnick: I agree with the hon. Gentleman, especially on his last point. The Leader of the House will no doubt have noted his hon. Friend's remarks.

My main reason for intervening in this debate is to express concern about employment and related matters. I have read in the press that the Government are considering making an attempt to tighten up proposals for the jobless. Apparently, the unemployed will have to show not only that they are actively seeking work but also that other measures are being taken.

Undoubtedly, the impression being given is that people rather like being unemployed. Nothing could be further from the truth. I cannot over-emphasise the fact that the vast majority of the unemployed are desperately eager to find work. I accept that a few people here and there, for various reasons, do not want to work—that they adopt the same attitude as a number of rich people. Where vacancies occur, people sometimes start to queue in the middle of the night. They are anxious to be interviewed so that they may lose their current status, with all the associated problems.

These people—many of them with families—live on the very lowest incomes. They want to be in the same position as individuals like ourselves—able to earn a living. They also want the pride of being involved in work. Any impression to the contrary, such as the Government at times seem to want to give, is based on fantasy. From a propaganda point of view, it may be useful to try to explain away the very high level of unemployment, but, as my hon. Friends, from experience in their constituencies, know only too well, the unemployed are eager to find work.

We have been celebrating many 50th anniversaries. Today is the 50th anniversary of the wartime White Paper on employment. That document, which was produced by the coalition Government of the day, created feelings of great hope. Members of the forces and civilians were given the expectation that, when the war ended—as it did a year later—there would be no return to the misery of the 1920s and the 1930s.

People were led to believe that, when the war against fascism was finished, when the fascist enemy had been destroyed—hopefully, once and for all—they would be able to earn a living and bring up their families properly. The hope was that they would not have to live anywhere near the poverty levels experienced by their parents and grandparents. It is a matter of deep regret that the unemployment figures in Britain remain so high.

However, we should be concerned not only about the number of people who are unemployed, but also about the way in which some employers are clearly exploiting the

[Mr. Winnick]

situation by offering very low wages. I pay tribute to the Low Pay Unit, which does an excellent job. It recently conducted a survey in the black country, which includes my constituency, and found that 70 per cent. of vacancies dealt with by jobcentres and elsewhere carried wages of less than £4 an hour, and that in 25 per cent. of cases the figure was less than £3 an hour.

How would any of us like to be earning that kind of money? How can a person live on such wages? Even if the wife is in work—and women are likely to be earning not all that much—how can parents bring up their children free from poverty and deprivation?

Employers are exploiting the unemployment situation, knowing full well that what I have said is true. People are so keen to stop being jobless that they are prepared to accept what is on offer. There is no doubt that such employers have been encouraged by the Government through the abolition of the wages councils, the constant emphasis on deregulation, and so on. The blame for inflation is put entirely on high wages. This produces a climate of opinion in which employers can offer wages at the levels I have mentioned.

Mr. Eddie Loyden (Liverpool, Garston): I am following my hon. Friend's case with interest. Does he agree that we should be concerned not only with the high levels of unemployment but also with how joblessness affects individuals, families and communities? It appears that there is almost an acceptance of the current levels of unemployment. Individuals, families and communities are being destroyed. I am thinking in particular of young people, many of whom, in their twenties or thirties, have not worked since leaving school. Let us consider all the problems that will arise for such young people thinking about marriage.

Mr. Winnick: My hon. Friend is right. One cannot be complacent about the situation in my area—far from it —and my hon. Friend's area has been damaged far more than mine. It has been devastated by unemployment and all that goes with it. I noted that one or two Conservative Members were not listening to my hon. Friend. As he said, the fact that over 50 or 60 per cent. of school leavers know that they have no chance of getting a job, and that that will apply to their siblings because there will be no jobs for years on end, should shame us all, and especially the Government.

Mr. Andrew Rowe (Mid-Kent): I share the hon. Gentleman's acute distress about the large number of people who want to work but cannot find work. However, he implies that there should be a minimum wage below which work should not be advertised. What does he regard as an appropriate minimum, and what effect would it have on job opportunities?

Mr. Winnick: I will not give a figure, but I hope that the hon. Gentleman listens to what I am about to say. He would not wish to work for the sort of wages that I have mentioned: he would not dream of doing so. I do not want to personalise the matter, but if he has children, the last thing he would want when they grow up—if they are not already grown up—would be for them to be in such a situation.

We must remember that we are dealing with our fellow citizens. We can argue about whether there should be a minimum wage and what it should be, but we should be concerned not only about high unemployment but about the absolute poverty wages on which so many people are forced to live. No Conservative Member inside or outside the Chamber would dream for a moment of trying to live on such wages.

Conservative Members earn the same parliamentary salary, of course, as Opposition Members, but as far as I am aware they have at least one other source of income. That is within the rules, and no one says that it should not be so, but I am dealing with people who, if they can get work, are being offered the sort of wages that I have outlined. It is interesting to note that the survey I mentioned said that one third of the jobs advertised were part-time and, of course, such jobs carry fewer rights.

The matter on which I wish to conclude my speech also relates to employment. I am concerned about the way in which an increasing number of employers are ceasing to recognise trade unions. Establishments that for years, and without any controversy, recognised unions have decided that they will no longer do so. That certainly applies in the print industry and in many other industries. Undoubtedly that means less protection for employees. Take-it-or-leave-it union-free contracts include conditions that people are reluctant to sign, but if they do not sign such contracts, they know the alternative. But so do the employers: hence the offer of such contracts.

I am pleased that yesterday's one-day BBC strike was successful, although Conservative Members may not take that view. Although the BBC has not, fortunately, ceased to recognise unions—and I hope that it never does—it believed that it could offer all kinds of conditions to employees, who would simply take them and lump them. Yesterday's strike showed that those in the BBC are rightly willing to fight for what they believe to be their rights. I hope that management will come to a sensible conclusion and negotiate with the unions.

For the reasons that I have outlined, the job market is poor. People in work are having their protection and rights constantly undermined, and that is clearly being actively encouraged by the Government. We shall certainly return to this topic after the Whitsun recess, because Labour Members think that these issues are important, and we will raise them at every possible opportunity.

4.54 pm

Mr. Andrew Rowe (Mid-Kent): My constituency is currently enjoying a remarkable improvement in its health services, with new build in both its major acute hospitals, and considerable reorganisation and improvement in its priority care hospitals. The vast majority of its schools are thoroughly enjoying the much greater freedom given to heads to plan and organise their work and their capital expenditure. In general, morale in Mid-Kent is high.

The subject of my speech may seem trivial in comparison, but there are two or three areas in which the shoe pinches, and I should like to bring them to my right hon. Friend's attention. The first of them is the ridiculous situation that is being allowed to continue—indeed, to worsen—of the differential between duty on drink in the UK and that across the channel. That is nonsense, and it is doing Kent a great deal of harm.

Between 1990 and 1994, the duty on beer in this country increased by 20 per cent. As one might expect, the volume being drunk has declined by 10 per cent. Pubs are closing at the rate of roughly 1,000 a year, or 5 per cent. of the total. If that continues, what will happen to the Prime Minister's dream of keeping alive Britain's traditions, such as warm beer?

To my great disappointment, the Treasury has recently yet again made clear that it is happy, because its take from the duty has increased. I suggest that the increase will be short-term if the goose that lays the golden eggs is allowed to be strangled. I wonder whether the Treasury's accounting on this matter is far too narrow. If pubs continue to close, jobs in the affected areas will decline, and tax income will disappear. The VAT on food sales will decline.

Kent is unquestionably suffering: jobs and businesses are at risk. Some 15.3 per cent. of the take-home beer market is now being satisfied by beer bought on the other side of the channel. It is wholly ridiculous that a Kentish brewer should be forced to set up special outlets in France, where his beer is now handled by French workers. He has done that simply to survive, but those jobs could perfectly well come to Kent.

The issue applies more widely. Crime is being widely stimulated. Technically speaking, it may not be a crime for people to cross the channel up to four times a day to buy what is theoretically a personal allowance of liquor, but we know perfectly well that it is being put on articulated lorries and carried all over the UK. That is bad for the morale, and the morals, of the country as a whole.

It is all very well for Customs and Excise to boast that last year it intercepted 30,000 litres of beer in Birmingham and Manchester and confiscated them. But, as we all know, Customs and Excise catches only a tiny percentage of what is improperly brought in, whether it be drugs or, as in this case, liquor. We are in danger of precipitating a further rapid decline in the British beer trade, the Kentish economy and the standards of morality throughout the country. I hope that the House will not adjourn until we have had a chance to discuss that matter.

My right hon. Friend the Leader of the House will not be surprised to hear me return to what is regarded as the parochial issue of the channel tunnel rail link. One of the sad aspects of this place is that, if a project is large enough and lasts long enough, those who discuss it inevitably sound extremely boring, because everyone has heard it before.

However, I must raise the matter and say with great sorrow that my right hon. Friend the Minister responsible for the railways has disappointed Kent in the past few days. A delegation led by Christopher Jackson, Member of the European Parliament, and put together under the auspices of Maidstone borough council, went to see the European Commissioner for the Environment, which was a perfectly proper step to take.

Before the delegation went, my right hon. Friend wrote to Commissioner Paleokrassas to say that it might be helpful for him to know that that meeting with the Member of the European Parliament and "action groups"—it was actually a delegation led by an elected local authority—was out of order. My right hon. Friend gave the Commissioner a series of reasons why he regarded it as improper for the European Commission to take an interest in that matter.

All along, my right hon. Friend the Minister had led us to believe that his objection to the Boxley long tunnel was on grounds of cost. So, if a properly constituted delegation goes to see the European Commissioner to discuss the availability of European funds, it is wholly improper that my right hon. Friend should attempt to shipwreck that delegation before it even started out.

I once received a letter from my right hon. Friend saying that, on environmental grounds, the Boxley long tunnel was preferable, and was being turned down only on the ground of cost. The issue has unanimous local support. The county council, all the district councils, all the conservation bodies, all the parish councils and all the action groups are unanimous on that matter.

I am disappointed, and have written to my right hon. Friend the Minister to seek an assurance that, when the hybrid Bill on the channel tunnel rail link is presented to the House, it will be drafted in a way that will allow the Committee to consider that major alteration in the route. I have a nasty feeling that an attempt will be made to define the terms in which the line is drawn in a way that will exclude that possibility. If so, I and all my friends in Kent will regard that as a gross betrayal of Kent. My right hon. Friend has frequently said that it would be for the Committee to decide, and I hope that he will give me that assurance.

We now know that it is almost certain that trains on the new line will run at 186 miles an hour. For a long time, the Department of Transport has been telling us all that the intention was that, in the early days, trains would run at 140 miles an hour, but that, if improvements in signalling and rolling stock were made later, the speed might rise, but not for a considerable time. We now discover that trains will almost certainly run at 186 miles an hour ab initio.

What is important about that is that it is yet a further example of the greater wisdom of the so-called "amateurs" in my constituency and other parts of Kent, who knew all along that that would almost certainly be the case. I am extremely worried that slippery half-truths are coming out of the Department of Transport.

On a more cheerful note on transport, the Piggyback Consortium has just published an admirable report that suggests that some 400,000 lorry movements a year could be taken off Britain's roads if the relatively small capital works that would be needed to enable piggyback transport to be carried on British railway tracks were carried out. I understand that my right hon. Friend the Secretary of State for Transport is interested in that matter, so I hope that he will give it further support. It would be good for us to debate it.

Two events occurred in the House yesterday. First, the chairman of the Association of Directors of Social Services spoke to a Back-Bench Committee in this place. She reiterated the long-established fact that the association supports direct payment to disabled people, to enable those who choose to do so, and are regarded as capable of doing so, to buy in their domiciliary care at their own hand. Secondly, it was announced that 16, 17 and 18-year-olds would be given a voucher to enable them to choose where to spend the money which the Exchequer gives them.

How can the Government any longer resist the case for giving sophisticated, intelligent, disabled people a similar right to choose how to spend their entitlement to public funds at their own hand, directly to employ their own domiciliary staff? It is nonsense to suggest that a 16-year-old makes better use of choosing how to spend

[Mr. Andrew Rowe]

public money than somebody who may have broken his or her back but has kept all his or her intelligence and capacity to manage.

Before we adjourn, we should debate the role that volunteering can play in the life of this nation, if only we would think big rather than relentlessly small. We should provide an opportunity for every young person who wants to, do so to contribute as a volunteer. Nothing would do more to enhance the self-respect of young people, especially those who are unemployed or who, for whatever reason, have had a poor school record. Nothing would give them a better chance to get a reference; take ownership, in a small way, of a part of this society; learn how to work with others; and learn how some other people live. We must revisit that issue.

We must also make it easier for benefit recipients to volunteer. The recent statement on the number of hours that can be worked as a volunteer before putting benefit at risk was disappointing. It was far too discretionary, and did not meet the earlier commitment that the Government would make it much easier for people who want to give back to society in a voluntary capacity the opportunity to do so without losing their benefit.

The chief reason why older people do not volunteer has been shown to be that nobody asks them. The Government could encourage much greater participation of the rapidly growing proportion of our population who have either left employment at the age of 50 or 50-plus, or gone into part-time employment at that age, to contribute to society their skills, experience and knowledge. I know that the Prime Minister is interested in that matter, and that the new Home Office initiative has still to get under way, but the scale of that initiative is pathetically small, and we can and must do better.

5.9 pm

Mr. Nigel Spearing (Newham, South): I do not think that we should pass the motion and adjourn on its terms until we have heard an explanation—and perhaps an apology—from the Lord President of the Council for the conduct of one Member of the House. I refer to the Secretary of State for Health. The Lord President will perhaps refer also to two other recent events—the apology by the Minister of State, Department of Social Security and the apology that was made just a few moments ago, although that will not be a part of this debate.

I take no joy in drawing the right hon. Gentleman's attention and that of the House to what I believe to be another clearly inaccurate statement, made this time by a member of the Cabinet. I hope that the matter will be cleared up before the House goes into recess. Perhaps the Lord President can suggest how the manifest inaccuracy which appears in column 415 of the *Official Report* of 28 April can be amended satisfactorily.

In a debate about the national health service in London, the Secretary of State for Health referred to the London ambulance service in her second speech of the day. The House will know that I have participated in no fewer than seven Adjournment debates on the subject and have tabled one private notice question—which would have been totally unnecessary if the service were all right. The right hon. Lady tried to explain why she would not give way during her speech. She said:

> "I have had frequent lengthy discussions with the hon. Gentleman, not least on the Thames and on other occasions. I have learnt from experience that if he wishes to make his point, it is wise to let him make it in his own speech if he catches your eye, Mr. Deputy Speaker."—[*Official Report*, 28 April 1994; Vol. 242, c. 415.]

The right hon. Lady would not give way to me. Alas, I have not had frequent or lengthy discussions with her, for the simple reason that I have not had any discussions with her at all, other than the incident on the Thames to which she referred and to which I shall come in a minute.

In fact, I could not understand what the right hon. Lady said at the time because she did not say it very loudly. However, I looked at *Hansard* the next day and read those words. I wrote to the Secretary of State on 29 April, and asked her:

> "either withdraw your statement that we have had 'frequent lengthy discussions', or jog my memory by stating when and where they took place.
>
> I would be grateful for full replies to these two matters"—

I also raised an ambulance matter—

> "I raise by a personally signed letter."

Unfortunately, that personally signed letter did not arrive for some time. A couple of days ago, I reminded the Secretary of State that a reply was due. However, I did not receive a letter from the right hon. Lady; I received a letter yesterday from her Parliamentary Under-Secretary of State. It referred to the matters about which I complained in only one short paragraph:

> "I am sure that the references, which were made during the recent Opposition Day Debate, were meant to reflect the continuing interest you have shown in the LAS over recent months, which has been very much appreciated."

I think that it may have been appreciated because I have been talking to officials of South West Thames regional health authority, whose members the right hon. Lady appoints. But that is all that was said.

If people are to be allowed to say that they had frequent lengthy discussions which did not occur and justify their claims by saying, "We knew you were concerned about it", what will happen to standards in public life? That is the sum total of the written replies that I received from the Secretary of State. I think that hon. Members and anyone else would say that that is not good enough. It is an attempt to evade our rights as representatives of the people who send us to this place. What could be less contentious in party terms than the ambulance service?

I felt obliged to raise the matter during this debate. I think that it may be even more serious than I have outlined. Not only did the right hon. Lady speak about events which had not happened; she also suggested that we had had a conversation on the River Thames. I will tell the House about that conversation.

I wrote three letters to the right hon. Lady and her Ministers in September 1992, prior to the collapse of the ambulance service, warning her about the situation. But I did not receive a reply from her. Being of a charitable turn of mind, I thought that perhaps, under instruction—we know that these things happen—she might not have seen my letters.

During a social event which had nothing to do with politics or our offices I saw to it that the right hon. Lady received an envelope from me. We met briefly afterwards and talked about the social event—which, again, had nothing to do with politics or the health service. It was not a discussion; I merely wanted to make sure that the right hon. Lady received a warning in September 1992 before the ambulance service collapsed, because I thought that she might do something about it. That is the purport of her second reference.

There can be only one explanation—a charitable one—for the sequence of events. It was suggested to me by someone who, when I outlined what had occurred, said, "She must have felt that she had discussions with you because of all the trouble that there has been about the London ambulance service." A long overdue payment of £14 million above budget has been made to the London ambulance service. Perhaps the right hon. Lady had terrible trouble with the Treasury because of my Adjournment debates. I do not know. It may be that that is what she had in mind when she made those references. That is my charitable interpretation.

Surely we must maintain standards in the House. Members of the public are already worried about certain matters which I will not go into now. Two recent unfortunate incidents have been raised today already. Ministers must be very certain that what they say—even off the cuff—is accurate. If it is drawn to their attention that their remarks are inaccurate, they should not weave, duck and dive as I am afraid the right hon. Lady has done. When I gave her the opportunity to make amends for what she had said—perhaps not as pointedly as I should have—that opportunity was not taken.

I have a good maxim: one hates the sin and loves the sinner. Unless we take a stand on matters such as these, authoritarianism will grow. On certain occasions we have to say, "I will take it thus far, but no further". We have now reached that point.

The Secretary of State for Health is not known for her feeling in the House. She frequently relies on copious notes and she does not always give way as one hopes a Minister of the Crown wishing to serve the public and their representatives will do. I think that the Secretary of State, who is knowingly most unpopular, might become a very popular person if she returned to her primary function as the Member of Parliament for Surrey, South-West.

5.18 pm

Mr. David Nicholson (Taunton): The two opening speakers in the debate—the right hon. Member for Manchester, Wythenshawe (Mr. Morris) and my hon. Friend the Member for Staffordshire, South (Mr. Cormack)—raised difficult issues about which there are strong feelings in the country and in the House. They were absolutely right to speak as they did.

It will be a source of some comfort to my hon. Friends and some irritation to Opposition Members to be reminded that this Parliament has nearly three years to run. I think that it is appropriate for the House to delay rising in order to debate some of the themes and practical policies that the Government might pursue both immediately and in the second half of this Parliament.

Since I spoke in the equivalent debate a year ago—my right hon. Friend will recall that speech—much has changed for the better in respect of the real world in Britain, and the actual policies, as opposed to the rumoured policies, being pursued by the Government. The divisive and enervating Maastricht debates are over, although there are some—particularly in the press and to a lesser extent here—who want to continue them.

Economic recovery is gathering pace by the month, and with it, unemployment is falling. Over the past six months, unemployment has fallen nationally by more than 130,000 to 9.5 per cent; in the south-west region, it has fallen by nearly 12,000 to 8.5 per cent. and in my constituency it has fallen by nearly 100 to 7.7 per cent.. We welcome those trends and hope that they will continue.

The legislative framework is now in place for the deregulation of many of the bureaucratic burdens that have built up on business over the past few years. We must monitor it to ensure that it is the bath water and not the baby that is thrown out. I welcome the initiatives announced yesterday by my right hon. Friends the President of the Board of Trade and the Secretary of State for Employment and, particularly in view of the speech by the hon. Member for Walsall, North (Mr. Winnick), I hope more effort will be targeted to help those who have been unemployed for a long period. I hope, through my membership of the Select Committee on Employment, to play a part in developing that.

Most important, the Criminal Justice and Public Order Bill marks a comprehensive, relevant and generally popular move forward on numerous issues of crime, public order and civil liberty. It has been pointed out by the Police Federation that the present Home Secretary is the first to challenge the liberal establishment at the Home Office. That is welcome on the Conservative Benches and in the country.

All those measures are evidence of a Prime Minister and a Government who listen to the country—and not least to hon. Members—and take action, although to read the accounts in some of the newspapers, one would hardly guess it.

For the immediate future, I want to impress on my right hon. Friend the Leader of the House the need for early action to deal with the very great burdens and the anger and concern being imposed by the Child Support Agency. A meeting in my constituency last Friday was attended by about 70 people who were suffering from the exactions of the CSA. I accept that when my right hon. Friend the Leader of the House was Secretary of State, there was very little recognition of the problems as the Bill passed through Parliament, but we now need early and urgent action.

We also need an early statement on the Government's decision following the Bloomfield report on the dental profession. There has been long irritation about what is happening to the dental profession and dentistry.

While I have the opportunity, I should like to impress on the Leader of the House the need for legislation next year to implement the Government's commitments on national parks. I am glad to see in her place my hon. Friend the Member for Tiverton (Mrs. Browning) who has tried to pioneer that this Session. I hope that we will have Government legislation on both those commitments and to implement the reform of agricultural landlord and tenant legislation for which we have long been pressing.

Let me set out some of the objectives that we must pursue. Continuing economic recovery and the continuing battle against crime must jointly take top priority. Practically every family in the country is concerned about one or the other, and often both. We must not tolerate without good reason any obstacles to that progress.

While I congratulate the Home Secretary on burying most of the Sheehy report on the police—if there were time, one might reflect on whose fingerprints were on that report before it was buried—the criteria I have set are those

[Mr. David Nicholson]

against which we must judge the Police and Magistrates' Courts Bill which is yet to be considered in detail on the Floor of the House.

Secondly, there is the objective of lower taxation. We must continue to explain that no responsible Government could continue borrowing at the recent rate while the economy was clearly coming out of recession, and that the alternative to tax increases, however regrettable, was deep cuts in public services that our constituents, including their grandparents and children, all value.

We must also keep in the foreground the objective of fiscal equity—that tax burdens should fall and tax reliefs be made in proportion to income. People on middle incomes—by that I mean anything up to the fairly large figure of £30,000 a year—have a legitimate complaint which should be recognised as we are able to reduce taxes.

The third objective, which was the theme of my speech a year ago and the theme of much that I have been saying since, is the continuing need for the legislation that we pass in the House to avoid change for its own sake and set out clearly particular cases for change and the need for improvements.

I have already referred to Sir Patrick Sheehy, but no reference to this policy of consolidation would be complete without a reference to his administrative twin, Sir John Banham. On the Banham issue, which I shall explain is relevant to the European dimension, I can only remind the House that neither of the Opposition parties wants to simplify local government; they want to get rid of one tier so that they can erect a new tier of regional government with powers of taxation, and to that end they want to abolish the counties.

It would be ironic and, indeed, bizarre if one as intelligent, historically minded and traditionalist as my right hon. Friend the Secretary of State for the Environment swept away 1,000 years of history to enable the hon. Member for Blackburn (Mr. Straw) to set up his regional socialist satraps.

Mr. David Hanson (Delyn): I am interested in what the hon. Gentleman said. He and I have spent many weeks serving on the Committee considering the Local Government (Wales) Bill, in which he voted to sweep away the county councils in Wales. How does he square that argument?

Mr. Nicholson: Wales is a country with a very different history and geography from England, and what we have been sweeping away in Wales are the new structures that were set up some 20 years ago. I have never had any dissent from the sweeping away of the counties of Avon, Humberside and Cleveland that were set up in England 20 years ago. I have paid considerable attention to the need to ensure a degree of consistency in my policy towards English local government and what I have been supporting and voting for in the Local Government (Wales) Committee.

The European point is this: I understand that it is the ambition of both Opposition parties—and a Labour Member explained it to me—to centralise upwards in Europe and to devolve downwards to regional tiers so that, eventually—and they accept that it will take some time—the United Kingdom Government and this Parliament will wither away. The suggestion is that the House would meet two or three times a year for ceremonial purposes. When I put that point to one of my hon. Friends from Somerset he reminded me that that was the ambition of the right hon. Member for Yeovil (Mr. Ashdown), who would not even allow the House to meet two or three times a year. The House should recall that as we go into recess.

Mr. Nicholas Brown (Newcastle upon Tyne, East): This is a fascinating explanation of Labour party policy, presumably obtained from the hon. Gentleman's own party's headquarters in Smith square. To whom is he attributing this explanation of Labour party policy?

Mr. Nicholson: It is not from Smith square; it was based on more than one conversation with people in the political domain. I am glad to hear from the hon. Gentleman that he is as embarrassed as other Opposition Members might be at the suggestion. I am sure it is the logical conclusion of many of the measures to which the Labour party are committed.

Mr. Brown: It is not the logical conclusion of many of the measures to which we are committed; it is not our policy at all. I therefore have to press the hon. Gentleman for an explanation as to where he found this travesty of a policy statement.

Mr. Simon Burns (Chelmsford): Will my hon. Friend the Member for Taunton (Mr. Nicholson) give way?

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. The hon. Gentleman cannot intervene on an intervention.

Mr. Burns: I thought I might be helpful to my hon. Friend.

Mr. Nicholson: I give way to my hon. Friend.

Mr. Burns: The hon. Member for Newcastle upon Tyne, East (Mr. Brown) wants to be consistent. Given his party's views on leaked private conversations on railway trains, he may understand that it would be wrong for my hon. Friend to break the confidence of his conversation with a Labour Member.

Mr. Deputy Speaker: Order. It is also wrong for one hon. Member to try to answer on behalf of another hon. Member.

Mr. Nicholson: In view of my hon. Friend's point and your advice, Mr. Deputy Speaker, I shall leave the matter there. However, I was glad to hear the assurance given by the hon. Member for Newcastle upon Tyne, East. I made it clear that I was talking about a gradual and long-term process. This House should be aware of the processes supported by both Labour and the Liberal Democrats. However, the Liberal Democrats—who have no representative here today—are rather more open and less coy than the Labour party about their attraction to those processes.

The usual cautionary phrase used when administrative upheaval is proposed is, "If it ain't broke, don't mend it." I remain convinced that that is an essential watchphrase, which has often been applied to the Post Office—that much valued and greatly improved service. There is now unanimity that some changes need to be made in its organisation. I especially welcome those proposed last week by my right hon. Friend the President of the Board of Trade, first, for Post Office Counters to strengthen the role of sub-post offices—which are so vital to rural and semi-rural areas—and, secondly, to provide greater commercial freedom for the Royal Mail.

Whether that extension of commercial freedom, which I think all parties accept, and the interests of fair competition require a measure of privatisation is something that we must consider during the consultation period. I am extremely grateful that my right hon. Friend has provided time for consultation on these complex matters. The fair competition point is valid, which is why I know that there is support for a measure of privatisation. However, we also need to guarantee—not just for a few years, but indefinitely—the commitments on the uniform tariff and the retention and, indeed, improvement of the present collection and delivery service.

On the question of privatised utilities generally, there are one or two tasks that the Government and Parliament should undertake during the second half of this Parliament. Obviously, one of those tasks is to promote vigorously the undoubted successes of privatisation, especially in telecommunications and gas, and even the vast investment now being undertaken in the water industry. I shall have more to say about water later. At the same time, we need to consider some of the difficulties that have arisen, for example, the power of the regulators and the failed diversifications in certain utilities, which was highlighted recently in *The Sunday Times*.

While all Conservative Members accept that considerable benefits will come from the introduction of competition into the gas industry, there is concern in the south-west at the possible burdening of our constituents with transport costs. I am assured that the benefits from competition will greatly outweigh the transportation costs. We will have to examine that closely. My hon. Friends in the south-west would find the general principle of geographical discrimination unacceptable if, as has been suggested, perhaps in a rather alarmist way, in the *Western Morning News*, it were to apply to postal, electricity or telephone charges.

There are other, rather more significant, issues relating to the privatised utilities that will not go away—for example, whether the privatised coal industry is being treated fairly in relation to electricity supply. As a Member representing a constituency in the south-west, I am sometimes asked why my constituents and I are interested in the coal industry. I suspect that one reason is that the south-west traditionally has been dependent on agriculture. It is also surrounded by fish and therefore also dependent on the fishing industry, as my hon. Friend the Member for Falmouth and Camborne (Mr. Coe) well knows. Therefore, there is a fellow feeling with those in the coal industry that this country should not only exploit its skills, professionalism and hard work; it should be able to exploit its natural resources.

Something that is very much of concern in the south-west is the charging system for water. Is it right and justifiable that our constituents in Devon and Cornwall, and my constituents in the extreme west of my constituency, should pay the total cost of clearing up the beaches along the whole south-western peninsula? I am sorry to tell my right hon. Friend the Leader of the House that those issues will not go away. Indeed, my hon. Friends and I will return to them again and again.

The country is now facing the European elections. Whatever the speculation in certain section of the press, the Conservative party is united on the programme spelt out by Margaret Daly, the Member of the European Parliament for Somerset and West Dorset, and other candidates, which is to keep Britain's veto in Europe, to support a Europe that does less and does it better, to work constantly for a level playing field in Europe, to ensure proper enforcement of EC laws across Europe, to protect Britain's budget rebate and to fight fraud in Europe.

Conservative Members are united behind all those matters, and in many of them our views are in sharp distinction to those of Opposition Members. It would be perverse if, as a way of protesting against certain measures from national Government, people were to elect large numbers of Liberal Democrat or Labour MEPs whose views on European issues are light years away from the views of the bulk of their constituents. That would be regrettable and I hope that the country will recoil from that possibility.

5.37 pm

Mr. D. N. Campbell-Savours (Workington): The House should not adjourn because matters relating to the Civil Rights (Disabled Persons) Bill remain outstanding. I want to raise two aspects of the Bill that have not been referred to during the debates over recent weeks. The first is a statement by the Minister for Social Security and Disabled People, which appears in *Hansard* on 29 April. I intend to read that statement twice because I want to draw the attention of the House to the ambiguity of what he said and show why disablement groups may have been misled. I shall read the same words on each occasion.

The Minister said:

> "As I said, there is an established handling procedure and, however strongly any of us may feel about the issue, we cannot deviate from it. That is not to say that the Government are not listening with care and sympathy to those who are actively campaigning for the Bill and properly using every opportunity to ensure that it reaches the statute book and that the thinking behind it is widely understood in the country outside."

That is my first reading of those words. I shall now re-read exactly the same words:

> "As I said, there is an established handling procedure and, however strongly any of us may feel about the issue, we cannot deviate from it. That is not to say that the Government are not listening with care and sympathy to those who are actively campaigning for the Bill and properly using every opportunity to ensure that it reaches the statute book and that the thinking behind it is widely understood in the country outside."

There is a distinction between the way in which I read those words the first and then the second time. In the first, the Government are interpreted as using every opportunity to ensure that the Bill reaches the statute book, with the thinking behind it widely understood in the country. On the second reading, the interpretation is that the people outside are taking those actions.

I put it to the Leader of the House that the first interpretation was the one that was accepted by the disablement groups and that led them to believe that the Bill would be supported by the Government as late as 29 April this year. That was nine days after, according to the Minister's reply to my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), he had authorised his officials to instruct parliamentary counsel to draft amendments on 20 April 1994. He authorised the drafting of the amendments on 20 April, yet on 29 April he told Parliament, in the words that I first used, that the Government supported the legislation, obviously subject to some amendment. It is in that that much of the misunderstanding has arisen.

[Mr. D. N. Campbell-Savours]

If one goes on to quote other remarks made the Minister in the debate, they seem to confirm only the first interpretation that I put on the words, because at the end he said:

> "The Government are determined to continue with that progress, and we are determined also to look at the provisions of the Bill and to see what common ground can be established between the Government and the Bill's sponsors . . . We will come to Report next week with an attitude which firmly reflects and reinforces the commitments made by my right hon. Friend the Prime Minister, and we will pursue the remaining stages of the Bill in that spirit. We will return to the issue next Friday, and the Government will continue to study and reflect on the comments which undoubtedly will be made in those discussions and, in due course, we will make clear to the House our conclusions about the further consideration of the matters."—[*Official Report*, 29 April 1994; Vol. 242, c. 514-16.]

That was nine days after the instruction was given to Parliamentary Counsel to draft those wrecking amendments.

My second point relates to the ruling of Madam Speaker on 11 May. Madam Speaker made a ruling on the Floor of the House, using the same language as she used in a letter t[illegible] So in the light of that, I feel that, in so far as Madam Speaker said that she was breaking from orthodoxy on those matters and was prepared to rule on the Floor, I am at liberty to quote only those parts of her correspondence with me to which she referred on the Floor. She places emphasis on one particular word. The letter reads:

> "In the light of developments since I received your letter, as a result of which the House is in possession of the facts and has received an apology, I have concluded that I would not be justified in myself granting precedence for this matter's further consideration."—

"myself" being Madam Speaker.

What Madam Speaker is therefore saying to me—I must make it clear to the House that, on principle, I have not discussed that ruling with Madam Speaker or had any contact with her office, and that I can speak quite freely, as I am uncompromised by any discussion—and to the House is that she was not in a position to grant the motion precedence. However, in the letter, she goes on to say:

> "My decision in no way reflects your right"—

my right—

> "to seek ways to pursue this matter yourself."

She is saying that I can pursue the matter. There are only a few ways open to me to do that in terms of bringing a motion. Either I win a ballot—I have never won one of those ballots, or perhaps I did, in 1985—or I would have to convince my political party, which, in the circumstances, would be improper, that it should table the motion on a Supply day. I believe that, technically, it could. The problem with that is that the moment a political party is seen to be tabling a motion of that nature, it politicises a matter that should be dealt with on a cross-party basis. I think that it is impossible for the Labour party to table such a motion, because it has implications for procedure in the future when those matters arise, as they will, no doubt, again and again.

If my political party cannot table a motion, and I cannot table a motion, and Madam Speaker is unprepared to give the matter precedence, the only remaining person in a position to table such a motion is the Leader of the House. I believe that there is a responsibility on him to table that motion, and I shall explain why.

I was astonished, as I said at the time, by Madam Speaker's ruling. What I did not say at the time, however, was that I understood it. In my view, there was a reason why it was made. I am not challenging it in any way. I am seeking to set out for the House why I think that that decision was taken. Many hon. Members had not thought through the implications of me bringing my complaint for contempt. If Madam Speaker had ruled that the motion be given precedence, and because the Government cannot vote against the Speaker, the Government, including Ministers and the payroll vote, would have had to go into the Lobby upholding the decision of Madam Speaker to refer the matter to the Privileges Committee. My view is that that would have been impossible to do. Ministers could not have gone into the Lobby upholding the recommendation to the House, based on the Speaker giving precedence to the motion to refer the matter to the Privileges Committee, because, in effect, the Government would have been undermining the very credibility of one of their Ministers.

That brings me to an interesting consideration. If the payroll vote—I do not use the word pejoratively—and Ministers cannot vote against a motion that is given precedence to go to the Privileges Committee, where a Minister is involved, because it undermines the credibility of Ministers, the Privileges Committee system no longer works. It means that the Speaker will always have to rule in the way that she did on that occasion. The Speaker has no option.

I can see by the facial expression of the Leader of the House that, perhaps, I am not making it as clear as I should. I am arguing that if the motion had been given precedence by Madam Speaker, he and his colleagues would have had to have gone into the Lobby upholding the motion to refer the matter to the Privileges Committee. That would have been an untenable position for a Minister. I do not think that it is possible to do that. Therefore, there must be another way of dealing with the matter. My view is that, in indicating support for that motion, they would be saying to the Minister that he would have to resign.

I am arguing that, had Madam Speaker given the motion precedence, knowing that Ministers would have had to have gone into the Lobby in support of referring the matter to the Privileges Committee, she would effectively have been securing the resignation of the Minister involved. I do not think that the Speaker of the House of Commons should be placed in that position. That is what would have happened if she had ruled, or announced privately to the Government that she intended to rule, in favour of the motion being given precedence. I believe that the Minister involved would not have survived another hour in post. He would have had to have gone, because the inevitable consequence would have been that the Leader of the House would have had to have gone into the Lobby to support the matter being referred to the Privileges Committee, and thus undermined the credibility of the Minister.

An important principle is involved here. If we cannot bring contempt complaints against Ministers because the Speaker is placed in an invidious position, the procedure must be changed.

Another matter is involved, which will inevitably come before the House in the coming months—the Scott inquiry. I am not talking about this same Scott, but the other Scott inquiry. There again, the issue is the deliberate misleading of the House of Commons. I do not think that I am being silly in saying that some of us are following those proceedings with great interest. If it can be proved during the inquiry that Ministers have deliberately misled the

House, the issue of contempt will arise again. If a complaint is made, will Madam Speaker be placed in exactly the same position as before—a position in which, if she rules that the matter be given precedence, knowing that Ministers of the Crown will have to support her in the Division Lobby, she is in effect sacking those Ministers before they have even been given the right to be heard?

That is what worries me about the whole procedure. I do not know whether I have explained the matter clearly enough; I know that many hon. Members find it complicated, but I have reflected on it long and hard following the ruling to which I have referred.

I believe—in a nutshell—that the Speaker of the House of Commons should not be compromised in the way that I have described. When the Procedure Committee examines the issues, it may well want to consider what might have happened if Madam Speaker had ruled that the motion should be given precedence. I do not believe that, if that procedure had been followed through, the motion would ever have reached the Floor of the House: the Minister would have resigned as soon as the Speaker had notified the Government Whips of her decision.

I merely ask that the matter be considered. I know that it will not be considered before our short recess, but I hope that the House authorities will note what I have said.

5.51 pm

Sir Fergus Montgomery (Altrincham and Sale): Debates such as this raise many lively issues. My hon. Friend the Member for Staffordshire, South (Mr. Cormack) spoke of the problems of Bosnia. I do not think that anyone would dispute the fact that a terrible tragedy is going on there, but there is also a terrible problem in Rwanda: I believe that more people have been killed there in the past month than in the entire Bosnian campaign. The tragedy of Bosnia is being repeated in other parts of the world.

My hon. Friend the Member for Taunton (Mr. Nicholson) referred to the Child Support Agency, a subject that I raised just before Easter, and I agree with everything that he said. It is no good for the Government to carry on as though everything were all right; what began as a good idea has now become a minefield. Many of us have encountered cases in which former partners who divorced amicably have been set against each other as a result of the agency's actions. I am also displeased by its inefficiency: it seems to take an interminable time to reply to representations made not only by constituents but by Members of Parliament.

Mr. David Nicholson: Does my hon. Friend agree that the longer the difficulties that he mentions are allowed to fester, the more the legitimate objectives of the agency and of the Child Support Act 1991 will be undermined?

Sir Fergus Montgomery: I entirely agree. One of the points that concern me is that, although the intention of the Act was to catch wayward fathers who contributed nothing to their ex-wives and children, the only people who come to me for advice are those who are already paying their dues and are now being asked to pay a great deal more than they can afford. I have not yet encountered a case in which a wayward father has been brought to book and made to meet his responsibilities.

I take part in debates such as this quite often because they give hon. Members a chance to talk about anything they choose and to draw attention to matters that they consider important and worthy of debate before the House breaks for a recess. Today I want to raise an issue that I have raised before. I make no apology for raising it again, because no one seems to have taken much notice of anything that I said previously. Accordingly, I shall continue to press the point.

I wish to discuss affordable housing, which I consider enormously important. I must first declare an interest as my wife chairs a housing association and is also a member of the Housing Corporation. I stress, however, that she did not write my speech: the responsibility is entirely mine.

More and more housing association tenants are caught in what I believe is known as the poverty trap. I fear that we are creating a growth in the dependency culture, which cannot be a good thing. We should encourage people to be independent. Of course we have great responsibilities in relation to the disabled, the elderly and the sick, whom we must help as much as we possibly can, but young people should be encouraged to go out to work and to help themselves rather than sitting back in the belief that the state should provide for them.

I find it depressing that people who try to help themselves by taking low-paid jobs often find that they are worse off than those on benefit. It makes no sense for people to be better off if they do not work than if they go out and look for employment. I also wonder about children who are brought up in such an environment: seeing that their parents are better off staying at home cannot be very good for their future. We must try to change that.

Housing associations are now the main providers of new rented accommodation. Not so long ago, the Select Committee on the Environment conducted a thorough study of the problem and we debated its report in the House earlier this year. The Committee warned of serious consequences if the housing association grant rate fell below 67 per cent. It has now fallen to 62 per cent., and those involved in housing fear that the Government have set themselves the objective of a 55 per cent. rate in 1995-96. If there is any reduction in the grant, the number of tenants dependent on housing benefit is likely to increase and more and more tenants will be caught in the poverty trap.

The National Federation of Housing Associations has just published a valuable document which should be compulsory reading for anyone interested or involved in housing. It makes a number of points, some of them very compelling. It states, for instance, that if we move away from the system of "bricks and mortar subsidy" towards a system of targeting support for individuals, the cost of housing benefit will increase substantially. Because housing association grant is a capital grant paid towards the commencement of a project, and because the housing benefit bill accrues over the years, the comparison of direct savings and costs is difficult to quantify. However, I do not believe that such a change of policy will achieve any saving in public expenditure.

The report also points out that lower grant rates lead to a growth in benefit dependency and work disincentive. The federation has proved that the proportion of working households among new tenants fell from 32 per cent. in 1989-90 to 25 per cent. in the first half of 1993-94. No doubt that is partly due to the disincentives involved in being in work and paying high housing association rents. The federation forecasts that if an average 55 per cent. grant rate is introduced in 1995-96 working households taking up the new housing association tenancies will be

[Sir Fergus Montgomery]

much worse off than they were in 1993. It forecasts that their rents will be 34 per cent. higher and that they will have to earn £220 a week to escape the poverty trap. That compares with £180 in 1993. The disincentive to work is therefore £40 a week greater. It forecasts that those people will be eligible for 41 per cent. more housing benefit and that the percentage of them paying rents that the National Federation of Housing Associations defines as unaffordable will increase from 73 per cent. to 83 per cent.

I have enormous regard for my right hon. Friend the Minister for Housing, Inner Cities and Construction because he knows more about housing than any other right hon. or hon. Member and he cares deeply about the plight of the homeless and of people who have to live in rented property. In March 1993 he said that

> "the poverty trap is a ditch rather than a cliff. It is perfectly possible to clamber out the other side, or indeed to leap the ditch at one bound if a reasonably well-paid job can be found."

Evidence from the National Federation of Housing Associations shows that the poverty trap is not a ditch but a pit from which it is impossible to leap.

With a national average grant rate of 55 per cent., it is expected that between 1993 and 1996 the trend for working households will worsen. The federation's booklet suggests that rents will increase by 34 per cent. and that people will need to earn a further £40 a week to escape the poverty trap, as against £180 in 1993. It also states that the percentage of income spent on rent will increase from 29.4 per cent. to 33.1 per cent. and that, for the 83 per cent. of those paying rents which are unaffordable according to the NFHA's affordability criteria, housing benefit costs per working household will increase by 41 per cent. There will be a further decline in the percentage of working households among new tenants. All of that shows the growing disincentives to work which result from significant rent increases and their interface with the welfare benefit system. That is a serious problem.

Housing is essential to the national well-being. The construction industry should be given a boost. Too many construction workers are unemployed. If we could get them back to work, not only would more new houses become available for people who are desperately anxious to be rehoused, but people would be taken off the unemployment register and put back into productive work, which would benefit the Exchequer. We would spend less on unemployment benefit and the tax revenue generated would go to the Exchequer. It would also be an enormous help in the fight against homelessness.

I have said it before, but I say it again: I become depressed when in certain parts of London I see so many people sleeping rough. I know that some choose that way of life, but some are homeless because they have nowhere else to go. The problem exists in every other capital city in the world. Nevertheless, it should strike at people's social consciences. I hope that, if more affordable houses are built for rent, we shall see a notable drop in homelessness in this country.

I urge the Government to ensure that the Housing Corporation is given adequate funds to continue with the main task of providing affordable housing for people in need. Before we rise for the spring recess, I hope that my right hon. Friend the Leader of the House will assure me on that point.

6.3 pm

Mr. David Hanson (Delyn): I was interested to hear the speech of the hon. Member for Altrincham and Sale (Sir F. Montgomery) because there is much on which we agree. Many more homes for rent should be built and local authorities should be given the opportunity to be a leading force in getting people back to work, creating jobs and providing a socially useful function. I hope that the Leader of the House will take on board some of those comments, even though we may disagree on some of the issues that were raised.

The debate has been wide ranging and interesting topics have been raised. The topic that I want to raise is not debated often in the House, but I hope that it will be of interest and that it will stimulate a response from the Lord President.

I was particularly keen to hear the comments of my hon. Friend the Member for Workington (Mr. Campbell-Savours) and of my right hon Friend the Member for Manchester, Wythenshawe (Mr. Morris) on the Civil Rights (Disabled Persons) Bill, with which I agreed.

Perhaps the most amazing speech this afternoon, which caused me great enjoyment, was made by the hon. Member for Taunton (Mr. Nicholson), whose wide-ranging speech provided another example of a Conservative Member stacking up alibis for the day when he has to face the general election. As the hon. Gentleman has a majority of just 3,300, I can understand why he spent so much time shoring up his rear in preparation for that inevitable general election.

The issue of solvent and volatile substance abuse was last raised in the House on 20 December 1988 by the hon. Member for Wellingborough (Sir P. Fry). I raise the issue today because I understand that the Lord President is chairing a committee of Ministers investigating drug misuse generally and ways in which the Government can respond. On 5 May, the Minister of State, Home Office, the right hon. Member for Fareham (Mr. Lloyd), stated that the central drugs co-ordination unit had two major tasks:

> "first, to ensure that departmental policies are planned, developed and implemented in England with a clear strategic framework and, secondly, to take the lead in devising an effective basis for local co-ordination of action to tackle the drugs problem."—[*Official Report*, 5 May 1994; Vol. 242, c. 934.]

This issue is not often raised in the House, but it affects every constituency in this country and it should be discussed today because there will be few other occasions on which to do so.

The problem is widespread. In 1991, the last year for which figures are available from St. George's hospital and medical school in London, there were 122 deaths in the United Kingdom from solvent and volatile substance abuse, compared with only two in 1971. Since 1971, 1,237 people have died from such abuse. On average, the number of deaths has risen by 5.5 per cent. per year. Since 1985, there has not been one year in which fewer than 100 people have died as a result of solvent and volatile substance abuse.

Since the hon. Member for Wellingborough last addressed this topic in the House, an estimated 600 further deaths have occurred in the UK as a result of solvent and volatile substance abuse. Every week, there are many instances of such deaths in hon. Members' constituencies. Only this week, I read press reports of a 15-year-old boy from Congleton who suffered a massive heart attack following the inhalation of a cocktail of lethal solvents and volatile substances. A 14-year-old Glasgow boy was found unconscious in the town centre following abuse of volatile substances. Efforts to revive him failed and he died shortly afterwards. In Crawley last week, a teenage girl suffered a massive heart attack after inhaling hairspray—one of the products that people do not generally associate with solvent and volatile substance abuse.

In constituencies throughout the UK people are inhaling and using a range of products to achieve their kicks. Those products are readily available in shops and other outlets. It is well-known that glues are used, but Tipp-Ex, felt tip pens, lighter fuel, hairspray and all aerosols which use butane gas are being abused by young people. That is why it is important that the Government should deal positively with the problem in the committee that the Lord President is chairing. I appreciate why it has been set up and I hope that it will act positively to tackle solvent and volatile substance abuse because the death toll will continue to rise from the 122 deaths last year unless action is taken.

The problem of solvent and volatile substance abuse is affecting children as young as eight or nine, who are in primary schools, and the bulk of the 122 deaths in 1991 —the latest year for which we have statistics—were of young people in their teenage years. Of those 122 deaths, 38 per cent. were of people identified as first-time users. That means that the first time they abused a substance it resulted in their death. That makes even more urgent the need for the Government to tackle the problem before the Spring Adjournment, and to address it during the deliberations of the Committee that the Leader of the House is to chair.

One worrying aspect is the fact that many people, and even many hon. Members listening to the debate, do not recognise that the problem exists. I want to bring it before the House before the Adjournment so as to inform the House that the problem exists. We could go back to any of our homes tonight and find in the garage, the bathroom, the kitchen and the living room 50 or 60 products which can be abused, and which are being abused right now by young people somewhere.

In 1991, 33 per cent. of the deaths were attributed to the inhalation of cigarette lighter fuel, which is commonly available over the counter in many shops. Glue, which is also commonly available, claimed 11 per cent. of the victims, and Tipp-Ex thinner, which many of us still have in our offices, claimed a further 10 per cent. Such products are readily available, and it is important that when the Leader of the House and the committee are considering those matters they address the issues in a positive manner. Before my time is up I wish to raise a couple of points which I hope that the committee—and, in due course, the House—will consider.

First, a strong Government strategy is needed. I welcome the Government's policies and proposals, and the publicity campaign on solvent and volatile substance abuse that they have undertaken in the past couple of years. One of the commonest complaints that I have heard, both as a Member of Parliament and as someone who worked in the field before being elected to the House, was the tragic statement made to me by many parents after their child had died: "If only I had known what the symptoms were; if only I had known that those products could be abused, I might have been able to do something to help." I hope that the ministerial committee will take seriously the issue of parental awareness.

Secondly, one of the main reasons why young people are drawn into solvent and volatile substance abuse is peer group pressure. It is hard to resist when one's friends and colleagues ask one to do something. In our time we have probably all had a cigarette behind the bike sheds. It is hard to resist the pressures. With solvent and volatile substance abuse, however, when some people are forcing and encouraging others to take part in such activities, the difference is that people can die from their first opportunity to abuse.

I therefore wish to impress on the Minister the need for a skills-based programme in schools to ensure that people understand what the products are and why they should not abuse them. That would give them the self-confidence and skills to resist peer group pressure, and to understand and resist solvent and volatile substance abuse, which can often lead to further drug abuse.

Retailers, too, should be considered. All the products that I have mentioned can be bought in any shop in London, in any village or, indeed, anywhere in this country. Deaths are occurring in every part of the United Kingdom. We need a strong programme of retailer education so that the existing legislation—the Intoxicating Substances (Supply) Act 1985, which was introduced by the hon. Member for Tynemouth (Mr. Trotter)—is enforced by retailers and so that they know which products are likely to be abused and should not be sold to people under 18 who may possibly abuse them.

We also need to ensure that the statutory services—the police, the youth services, general practitioners and the many people at the interface with young people liable to volatile substance abuse—know about the causes, the symptoms and the remedies, so as to help ensure that young people do not get involved in the first place.

I raise the matter because, although I know that the Lord President would not allow that to happen, it is tempting for a ministerial committee investigating drug abuse to concentrate on heroin, crack, cannabis and so on, and on the important problem of co-ordination. However, I remind the Minister that solvent and volatile substance abuse is killing more people in the United Kingdom today than all those other forms of drug abuse put together. It is a major problem, and the Government must deal with it.

In conclusion, I ask the Lord President a couple of questions. Will the committee be able to consider what action the Government will take to ensure that the problem of solvent and volatile substance abuse is central to their overall strategy for the prevention of drug misuse? Many different Departments are now involved. The Department of Trade and Industry, the Department of Health and the Home Office all have a finger in the pie. Those Departments are all doing their own thing, but there is a lack of co-ordination on solvent and volatile substance abuse. I hope that the ministerial committee will be able to overcome that. Perhaps responsibility could be given to Ministers for such aspects as retailer training and the training of professionals, and for ensuring that schools are aware of the issues. If there is no ministerial accountability and responsibility, the issue will get lost within the wider problem of drug abuse, and within the general committee work.

This may be a strange thing for an Opposition Member to say, but I welcome what the Government have done so far. I hope that before the House rises, and certainly when the committee is examining the issue, the Minister will not forget that this week, somewhere in Britain, two or three

[Mr. David Hanson]

people will die as a result of solvent and volatile substance abuse. The problem needs to be tackled as part of an overall co-ordinated strategy. It needs money, ministerial accountability and involvement, and I am sure that the Minister will provide that. Today is not the time to try to score party political points, but before we rise for the recess I want to ensure that the Minister knows that, although the matter has not been raised in the House since 1988, it is still important. I hope that what I have said today will at least help to form the agenda for the meetings that the Minister will hold in the forthcoming weeks and months.

6.16 pm

Mr. Jacques Arnold (Gravesham): You will not be surprised, Mr. Deputy Speaker, to hear that I intend to raise the issue of the channel tunnel rail link before we rise for the Spring Adjournment, because the issue must be addressed. First, I express my thanks and those of my constituents to my right hon. Friend the Secretary of State for Transport. The House will recall that, in January, he announced the route of the channel tunnel rail link from London St. Pancras to Cheriton, near the tunnel mouth. However, my right hon. Friend made exceptions for Pepper Hill and Ashford.

We all know that in the House we like to make great decisive announcements. The Secretary of State could well have said, "Here is my decision from St. Pancras to the tunnel. Here is the route, and everybody else will have to live with it, because the project is so important." However, my right hon. Friend had the courage to say instead, "No, I do not accept the case at two points on the route. I shall take the flak for not having made a final decision, and I shall instruct Union Railways, the subsidiary of British Rail, to examine those points again."

Union Railways did that, under the guidance of my right hon. Friend the Minister for Public Transport, and the process was carried through to success. Union Railways came up with a solution that has been accepted with delight and gratitude by local residents.

I now look forward to an early decision on the intermediate international station on the high-speed rail link. I shall state the case for Ebbsfleet as the international domestic station. It is ideally sited to serve eastern England and the counties to the south and east of London, which are so well served by the M25. Such a station would draw off the traffic that would otherwise go to central London for passengers to meet the high-speed trains to the continent.

If the station were placed at Ebbsfleet, it would also assist and serve the developing area of the east Thames corridor, for which the Government have expressed such enthusiasm. For my constituents at Northfleet and Gravesend, the proposal for Ebbsfleet station would bring thousands of jobs related to the development, in light industry, in the distributive trades and—this is my particular enthusiasm—those associated with a European conference and exhibition centre to be located near Northfleet. Such a development would also bring new roads to the area, such as a Northfleet bypass and links to the A2, and new developments, notably the proposed Bluewater park.

It will not surprise my hon. Friends that, because of the severe impact of the channel tunnel rail link on my constituency, I still have some other concerns. The plans as announced trap five properties between the line of the channel tunnel rail link and the A2—four properties at Longview, off the Henhurst road, Cobham, and The Lodge at Scalers Hill, Cobham. The lives of those constituents will be made increasingly intolerable as the channel tunnel rail link is constructed and then operated, and will be affected by the intensification of traffic on the A2, which is likely to be widened towards their properties.

The Department of Transport, quite logically, has responsibility for both the channel tunnel rail link and the A2, but it has passed the buck to Union Railways. The response of Union Railways to my representations on behalf of my constituents in those five households and to the pleas of the residents is deafening silence. That is not good enough. We want action now, either by voluntary purchase or by final compensation, to put my constituents out of their misery. I hope that we shall see a response to that.

There remains a major environmental challenge to my constituency. The plan proposes to cut through Ashenbank wood—a piece of ancient woodland and a site of special scientific interest—and Cobham park, which is a heritage site laid out by Repton. Concerns have been expressed about those plans by a wide range of environmental organisations and notably Cobham Hall Heritage Trust, the National Trust, the Countryside Commission, the Woodlands Trust and the Kent Trust for Nature Conservation. Concerns have also been expressed by Cobham parish council, Gravesham borough council and Kent county council. Those have been especially effectively expressed by the borough and county councillor for Cobham parish, Frank Gibson.

An imaginative assessment of the environmental impact and costed alternative proposals has been drawn up by Dr. Nigel Haig, a member of Cobham parish council. That is being reviewed at my request by engineers and consultants of Gravesham council. I ask my right hon. Friends at the Department of Transport to instruct Union Railways to engineer definitive alternative proposals for consideration. As those all involve modifications of vertical alignments, it would not breach the safeguarding arrangements already announced.

The Member of the European Parliament for West Kent, Mr. Ben Patterson, has already drawn the matter to the attention of the European Commissioner for environmental matters, Mr. Paleokrassas. A member of the Commissioner's cabinet has already been to Gravesham to see the problems for himself and to report back. If we can have a clear, environmentally preferable alternative worked out in detail, we should be able to harness financial contributions from the European Community and elsewhere for those improvements at that environmentally sensitive site.

I should also like to raise another issue that the House should consider before we rise for the Spring recess. We should look at the cumbersome working of the law courts in helping people to recover debt. I should like to bring to the attention of the House a particular case that has arisen in my constituency.

It concerns a constituent trying to enforce a small debt on which judgment was found in her favour. She managed separately to identify the defendant's goods stored in a warehouse. Through the legal process, she reissued the previous warrant on 6 August 1992 and the court bailiff went to the storage warehouse and took walking possession of the goods. That apparently means that the goods cannot be released to the defendant.

As a layman, I would have assumed that the goods would have been used to repay my constituent for the debts that had been properly identified in court, but not a bit of it. The defendant appealed on 18 August against the warrant. It was therefore suspended. My constituent appealed. The appeal was heard 17 days later, on Friday 4 September. The warrant, not surprisingly, was effectively renewed and costs were granted in her favour. So she faxed the court asking for a direction on the disposal of the goods which she had previously identified.

Apparently, a fax is inadmissible in court and, by that time, it was too late on a Friday afternoon to do anything about it, given the times within which courts work. So she had to hand-deliver the request on the following Monday, 7 September. That hand-delivered request in turn was mislaid by the court. In the meantime, the walking possession had lapsed on 4 September, the previous Friday. It could only be renewed by a bailiff responding to a court instruction, in turn responding to a request by the plaintiff.

Three days were lost because, in a Dickensian manner, a fax was inadmissible. Further delay ensued, because the request was lost. Yet another delay would have ensued because bailiffs take time to react to instructions. In the meantime, taking advantage of that courthouse charade, the defendant whipped along to the warehouse on Wednesday 9 September, collected his goods and has since disappeared.

After all that rigmarole, time and expense, my constituent is left back at square one, empty-handed. All she has had is an apology that her request for a direction of disposal was mislaid by the court, and a bland statement refusing to accept that her position had been prejudiced by the actions of the court. That is not justice: it is cumbersome, Dickensian farce. Where is the redress for my constituent? The House should look again at the practical reality of the administration of justice.

6.25 pm

Mr. John Spellar (Warley, West): Before the House goes into recess, we ought to consider two serious matters which cause not only inconvenience, but serious injustice, to many citizens throughout the country, and which proposals from Ministers ought to address.

The first matter is one to which I referred earlier during business questions: wheel-clamping on private land. It is quite scandalous that it is now nearly a year—in fact, the year will be up during the recess—since the closing date for submissions to the Government's consultation document on wheel-clamping. Everyone recognises that it is not a simple and easy problem to deal with, but it will not get any easier or more simple if we wait another year. The Home Office ought to be bringing in firm proposals to deal with the menace.

Every week, we still hear examples of outrages being committed by cowboy clampers. Only last week in Birmingham, a gentleman had to go down to the hospital where his wife was seriously ill after having had a relapse. He parked on some double yellow lines and put a note on his windscreen saying in which ward he was visiting his wife. He came out to drive home to tell his children that their mother was dying, and found that he had been wheel-clamped. The staff at the hospital had to have a whip round to get the wheel-clamp removed.

In the centre of Birmingham, there is a notorious site opposite the Digbeth bus station, which is deliberately left open and, if anybody parks there for more than two minutes, the clampers are out and charging their fines. It is simply entrapment. Again, that is the sort of abuse that ought to be dealt with. The Home Office, in a good document on private wheel-clamping, recognised many of the problems, but, unfortunately, has still not come up with a solution. The matter should not wait any longer, and once the year has passed, it should come up with urgent solutions.

The issue which has already been aired two or three times in the debate, and which concerns nearly all hon. Members and their constituents, is that of the Child Support Agency. Before we go into recess, the Secretary of State for Social Security should come to the House with substantial proposals for a major overhaul, or for the abolition, of the Child Support Agency. The rising tide of public protest against the agency has continued unabated.

I have my suspicions that the Minister was hoping that the protest would die down, and that he would have been able to continue with the agency. He may also have hoped that the proposals put forward by some, that it is really an argument between men and women, would begin to win the day. I always thought that that was a fallacious argument, since, at most of the meetings that I have attended, as I am sure is the case with the meetings to which other hon. Members have already referred, about 40 to 50 per cent. of the audience have been women who are finding that their relationships and lives have been disrupted. It was therefore fallacious to try to make out that it was a straightforward argument between the sexes. That argument has not taken off.

We are finding that enormous problems are being caused to many families by the Child Support Agency. One problem is the administration, which has already been referred to. I have had letters this week—the middle of May—referring to my correspondence at the end of March. I have also received letters saying that I would get a reply within 10 days; that seems to be the new reply. We await the result of that with interest. All hon. Members have found inordinate delays. It is difficult for us to make progress on constituency cases when we face such delays, especially when constituents have arrears building up all the time.

Not only we but our constituents face such delays, which they find frustrating to the point of unreasonableness. They get neither timely nor sensible replies from the CSA about their problems. As we have all found, when we get replies, the CSA gives a long recitation of Government policy and says little that answers our specific questions about the problems of an individual case. In the past few weeks, there has been a slight improvement, perhaps as a response to criticisms in the Chamber. Too often we do not get detailed replies to the problems that we have raised.

Mr. Gordon McMaster (Paisley, South): I am grateful to my hon. Friend for the manner in which he has conducted his campaign on the Child Support Agency for so long. What does he think of a letter that I received last week from the manager of the Child Support Agency in Falkirk? The manager said that he refused to answer

[Mr. Gordon McMaster]

detailed questions that I had submitted to him on behalf of a constituent in my role as a Member of Parliament, because of the rules of confidentiality.

Mr. Spellar: Perhaps that official needs to go on a training course, although not at one of the luxury hotels at which too many courses have been held.

It is enormously unfortunate that many of the agencies seem to take a cavalier attitude to Members of Parliament, and do not seem to have a full understanding of our role in these matters. That is not a partisan comment; many Conservative Members have experienced similar difficulties in getting straightforward and courteous replies from the agencies. I am sure that that point is being taken on board, and I hope that we shall start to get an improvement in the service that we are being offered.

Even if we could improve the administration, and even if the replies started to come through faster, only the superficial part of the problem would have been dealt with. The core of the problem is the way in which the agency has been set up under the Child Support Act 1991.

That outrages not only those who are directly affected and their families, but many other citizens who read about the CSA. They perceive the fundamental unfairness of the way in which the system operates. What no one can understand is how the CSA has been able to overturn settlements that have been agreed between the parties and ratified by the courts. They count for nothing when the CSA measures them against its criteria.

People who make sensible settlements in the light of the existing law find that that counts for nothing and is being torn up. People have often transferred property; I know that there are arguments about whether they have transferred the debt as well and how that debt is being met by the public purse. However, many people transferred not only property, but all the debts in a final settlement, as advised by their solicitors and financial advisers, according to the law of the time. They then find that the settlement is being torn up. That puts enormous pressure on their families, and creates enormous tension, as one can imagine, between previous partners.

People also find that little of the benefit goes to the children. As has been mentioned a number of times in the House, 90 per cent. of the money goes not to the children but to the Treasury. The letters CSA do not stand for Child Support Agency, but for Chancellor Support Agency.

Of course the guardians of the public purse have a legitimate interest in the matter; everyone understands that. However, the serious burden that is falling on individuals means that there is effectively a tax on divorce and separation, which has been introduced heavily and without the transitional arrangements that have attended other taxes. As we changed from the rates to the poll tax, and then to the council tax, there were transitional arrangements to ensure that the burden did not fall too heavily and precipitately on individuals. There are no such transitional arrangements here.

Indeed, because of the delays in the operations of the Child Support Agency, almost by definition individuals are building up substantial debts. As one can imagine, that is worrying and frightening for people who have been prudent, and have never put themselves into debt before. They now find that, if they are paying off one debt to the CSA, they are concerned about whether they will be able to pay their mortgage and whether their second family will be made homeless. Those are real and frightening concerns for people who have never before been in such a position. Those concerns should and could have been taken account of if the Government had only listened to others.

The Government should have listened, for example, to the Opposition spokesperson, my hon. Friend the Member for Eccles (Miss Lestor), when the CSA was first considered. They should have listened to the Select Committee on Social Security, which took the trouble to produce a special interim report when the Child Support Act was going through Parliament so that the CSA could be considered before the Act was passed. The Committee suggested that the key problem would be retrospection.

The Select Committee interim report drew attention to the experience in Australia. The Australians carefully ensured that their legislation was prospective rather than retrospective. It is no surprise that the Australian legislation has not caused the uproar and widespread public concern that have occurred in this country.

Other features of the Australian legislation should also commend themselves to Ministers, and they would do well to introduce them in the House. I refer especially to the possibility of an independent appeal, so that people could understand that they were being dealt with fairly. It is the fundamental unfairness of the legislation that is undoubtedly causing many of the difficulties and the widespread public uproar that has attended the CSA and that has already been referred to by a number of hon. Members in this debate.

For all those reasons, it is most unfortunate that the House is going into recess before we have been presented with proposals which would start to take us back to a sensible, balanced approach to child support, and which would bring relief to many of the families who are now fearful of what the future will bring. Many of them see no hope, and no way in which to get out of their problems.

I shall not dwell on the cases of those who have committed suicide. I am sure that we all realise that there are often a multitude of reasons in such unfortunate cases. However, we must consider those who have left their jobs and those who are saying to their employers, "When the next round of redundancies comes, please include me in, because in that way I can get out of this fearful trap into which I have been forced."

We shall not be able fully to enjoy our recess knowing that tens of thousands of our constituents and fellow citizens face the future with fear and trepidation because of the activities of the Child Support Agency.

6.39 pm

Mr. David Amess (Basildon): Before the House adjourns for the spring recess I shall make four brief points, but before doing so I shall comment on the speech of my hon. Friend the Member for Taunton (Mr. Nicholson). I particularly enjoyed his remarks about Europe in his wide-ranging speech. I agree with every word that he uttered.

If one reads the manifestos of the Conservative party and the two socialist parties—Labour and Alliance—one has no doubt whatever that both want to sell this country out. They want to remove power from this House, and they want a united states of Europe, with one Government. They should be thoroughly ashamed of themselves. If the British people read the Conservative party manifesto, I hope that they will agree with our patriotic beliefs. I very much hope that Lionel Stanbrook, our excellent candidate, will be elected in our Essex constituency.

The points that I shall raise are the points that I raised during the Easter Adjournment motion debate. Sadly, they have not been resolved. I am delighted that the one point which has been resolved—I know that hon. Members will be interested in this—relates to the National Association of Hospital Broadcasting Organisations. In the previous debate, I said that the Radio Authority was considering the different bands and how they should be grouped, and I hoped that Mr. Baldwin would choose option 3. I am delighted that option 3 was chosen yesterday; that gives hospital radio broadcasting the opportunity to have its own frequency.

My first point relates to the Commission for the New Towns. I pay a warm tribute to the Commission for the New Towns—the former Development Corporation, the chairman and all the officers. They have done a magnificent job in building Basildon up to the magnificent place that it is today. As the commission withdraws from my constituency over the next 18 months, it is especially important that it bears in mind community assets.

The House well knows that Basildon has the finest shopping centre, certainly in the country and possibly in the world. However, we need to complete the roofing of the remaining part of the shopping centre. It is essential that the commission reaches agreement with the local authority and the Department of the Environment.

The transfer of housing could not take place for many years, because of our previous rotten socialist council. There have been problems with transfers because contractors have, frankly, not fulfilled their original arrangements, and my constituents have been greatly inconvenienced. That must certainly be put right.

My second point—I know that my right hon. Friend the Member for Southend, West (Mr. Channon) will be interested in this—relates to the Fenchurch street railway line. I know that my hon. Friend the Member for Chelmsford (Mr. Burns) has mentioned his railway line on a number of occasions. It is well known that the Fenchurch street line offers a disappointing service to our constituents. I support the privatisation of that line.

I am trying to secure a separate debate on the issue, but I have been unlucky in the ballot so far. Time is running out, as British Rail has dropped a bombshell on my constituents and the constituents of my right hon. Friend: the Fenchurch street station will close in July for seven weeks. It has been suggested that our constituents should go on holiday for seven weeks, but that is a little dramatic. In the future, they will have to use the tube from Barking or be transferred to the Liverpool street line.

I and other Essex Members who are affected by this service need to know what British Rail intends to do during the seven weeks while the important engineering works are being carried out.

Mr. Paul Channon (Southend, West): Does my hon. Friend agree that, whatever the merits of Basildon, there is no doubt that the train service is not yet one of them? If these vital works are to go on, it is essential that some compensation should be paid to our constituents for the great inconvenience that they will suffer during the seven weeks that the station is closed.

Mr. Amess: I entirely agree with my right hon. Friend. Over the past few years, I have found that, when the House is not sitting, some enormous body seems to allow individual Members of Parliament to respond to the chaos that breaks out. My right hon. Friend is entirely right.

My next point relates to United Artists cabling in my constituency. We all know that there is a lot of rubbish on television from time to time, except when politicians are seen. The idea of cabling was to offer a wider choice. My constituents had no idea whatever that the face of Basildon would be scarred by something that looks like an enormous python. It behoves United Artists to return the pavements of Basildon to their original excellent state. We have a wonderful Conservative council in Basildon; United Artists must put the pavements right.

My final point relates to sex selection. The Human Embryology and Fertilisation Authority has decided not to allow sex selection to be authorised in its clinics. One of the owners of the dirty filthy clinic in the constituency of my hon. Friend the Member for Hendon, South (Mr. Marshall) decided that he wanted to choose the sex of his own child, and it turned out to be the wrong gender. That shows that the process used in the clinic does not work. It behoves Parliament to take firm action on this matter, and to make the sex selection technique unlawful.

6.46 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): I shall not explore the matter of the wrong gender with the hon. Member for Basildon (Mr. Amess). However, let me be the first to congratulate him on having scored a notable triumph in this debate: he persuaded the right hon. Member for Southend, West (Mr. Channon), a former Secretary of State for Transport, to intervene in his speech to admit to the shortcomings of the transport infrastructure which serves the constituency of Basildon.

The hon. Member for Basildon confidently condemned the "two socialist parties" for selling out Britain. I am not sure which two socialist parties he was referring to—perhaps he could write to me about that later. Despite the terrible sell-out which he condemned, he was only able to "hope" to hold the European seat in which his constituency is situated. On the old boundaries, I see that the Conservative party enjoyed a majority of 9,500 in what many people believe was a good year for the Labour party. I accept that the boundaries have changed, and perhaps that is the only reason why the hon. Gentleman can only hope to retain the seat.

A number of important matters have been raised in this debate. The debate was started by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), who is a long-standing champion of people with disabilities. He criticised—he is not the only person to do so—the Government's attitude to the Civil Rights (Disabled Persons) Bill. I strongly endorse what he said.

My right hon. Friend said that parliamentary counsel had drafted amendments which were intended not for the Committee but for the Floor of the House. The amendments were intended not to improve the Bill in Committee but to delay the Bill on Report, so that it could never come into law. That is bad enough; it is not the way in which we should proceed in the House.

Initially, Ministers denied that civil servants had been instructed to assist with the subterfuge, and Government Back Benchers denied that they had been helped by civil

[Mr. Nicholas Brown]

servants. My hon. Friend the Member for Workington (Mr. Campbell-Savours) raised an important new point. He referred to *Hansard* and the phrase which suggested that the Government were

> "properly using every opportunity to ensure that it"

the Bill—

> "reaches the statute book."—[*Official Report*, 29 April 1994; Vol. 242, c. 514.]

If the phrase was intended to be interpreted in that way, it would have involved misleading the House further, because it is perfectly clear to everyone who has followed the issue that the Government did not want the Bill on the statute book, or at least not in the form in which it was presented to the House.

If the Government have concerns about the public expenditure aspect of a Bill, or about the extra burden that could be placed on the private sector, it is right that they should express them in Committee and table amendments in Committee to deal with them. It cannot be right to proceed by subterfuge, which is what they have effectively done in this instance. It looks very much as if they have done the same with other private Members' Bills.

I have twice called for a full debate on the principles involved in this matter, and I ask the Leader of the House again tonight to consider holding such a debate on the Floor of the House, so that we can, I hope, reach a conclusion that will enhance the House's reputation and ensure that we do not have to proceed by subterfuge.

I agree with the hon. Member for Staffordshire, South (Mr. Cormack), in relation to the sad and disgraceful state of affairs in the former Yugoslavia, that what is morally wrong can never be politically right. I think that his remarks found an echo in every part of the House, as did those of my right hon. Friend the Member for Wythenshawe when he spoke about the rights of people with disabilities.

My hon. Friend the Member for Walsall, North (Mr. Winnick) managed very easily to follow the hon. Member for Staffordshire, South. We all condemn ethnic cleansing and the horrors of warfare in Yugoslavia and in Rwanda.

My hon. Friend also mentioned some procedural matters that are currently under discussion. There is, of course, a willingness in all, or in many, parts of the House to debate the Jopling report and to proceed, I hope, by consensus to implement those parts of it which find favour with the House.

Clearly, the way in which Members of Parliament are expected to work has changed over the years. If we are not here, it is usually not because we are on holiday, but because we have to deal with constituency business and participate in the wider affairs of the nation, not only those parts of the nation's business which are reflected in this debating Chamber.

In debating the Jopling report, we have to get right the balance between the rights of the governing party and those of the Opposition and, separately, that between the interests of the Executive and the House of Commons. I am sure that it is possible to do so and to make progress on the report.

My hon. Friend the Member for Newham, South (Mr. Spearing) drew the House's attention to a peculiar dispute, which is not of his making, in which he is engaged with the Secretary of State for Health. The Secretary of State said something incorrect about my hon. Friend. The simple way to deal with the problem is for her to correct the record. I make this simple plea to the Leader of the House: will he get in touch with his right hon. Friend and ask her to set the record straight before the matter acquires a disproportionate significance?

The hon. Member for Altrincham and Sale (Sir F. Montgomery), with whom I pair when we are allowed to pair—and with whom I do not pair when we are not allowed to pair—mentioned the dependency culture that is developing in Alderley Edge. It is clearly a sign of the times that a dependency culture is developing there, and it should be a matter of concern for the whole House. He pleaded for affordable housing, and those who know Alderley Edge will of course be sympathetic to that plea.

My hon. Friend the Member for Delyn (Mr. Hanson) made a powerful contribution to our debate, drawing on his experience as a former director of RE-SOLV, the society for the prevention of solvent abuse. I was not aware that there are three deaths a week from solvent abuse, and my hon. Friend was right to draw this important matter to our attention.

My hon. Friend the Member for Warley, West (Mr. Spellar) continued the two campaigns for which he is rapidly becoming nationally famous. The first, against wheel-clamping cowboys, continues apace, and the second centres on the Child Support Agency. I am sure that his remarks on the latter topic will command support from members of all parties. I have twice asked the Leader of the House at business questions to find time for a debate on the CSA. Many of the concerns raised about its operation are not raised in a political partisan way, and they require a response.

Incidentally, my hon. Friend the Member for Paisley, South (Mr. McMaster) intervened to draw attention to the way in which officials, especially agency officials, are using confidentiality as an excuse to avoid dealing with the inquiries made by Members of Parliament—inquiries often made on behalf of the very person whose confidentiality is supposedly being protected.

If a constituent has asked his Member of Parliament to take up his case, it follows that he has asked his Member of Parliament to represent his interests, and that includes dealing with confidential matters. If a constituent says that his Member of Parliament can have access to confidential information, the Member of Parliament should certainly be provided with it. If he is not, he cannot do his job properly.

I conclude by returning to what my hon. Friend the Member for Walsall, North said. He said that all Members of Parliament, especially those in the Opposition parties, could draw on constituency experience when talking about unemployment. Swan Hunter shipyard in Newcastle is still in receivership, and time is running out for it. The Government could save the yard—a smaller, leaner and more efficient operation, but still employing 1,000 people —if they committed the Sir Bedivere warship order to Swan Hunter, and by the stated time of June or July.

If the Lord President wants to send me off happy for the recess, will he draw the plight of the yard to the Prime Minister's attention and secure a decision, preferably one in our favour? It is a matter of life and death for Swan Hunter.

6.56 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I acknowledge the last remarks of the hon. Member for Newcastle upon Tyne, East (Mr. Brown). It is my ambition, as ever, to send everyone off happy for the Whitsun recess, but I suspect that such a feat is beyond my powers. Indeed, I had some difficulty this afternoon in persuading a number of people that it was desirable to add a day to the Whitsun recess because of the Euro-elections. That is perhaps a good illustration of the difficulties involved in pleasing all the people—or all Members of Parliament—all the time.

This is not a complaint but, with eight minutes to go, I have the usual breathless task of attempting to deal with the problems of the entire world. Inevitably, I shall not be able to do so, so I had better make it clear at the outset that, if I am unable to respond to all hon. Members' comments, they will be passed on to the quarters to which they were sometimes directed and will be taken note of by my colleagues, just as I have taken note of them as they have been made.

Two refrains have echoed throughout the debate. The first concerns the Civil Rights (Disabled Persons) Bill, which was mentioned first by the right hon. Member for Manchester, Wythenshawe (Mr. Morris) and later in various ways by a number of other hon. Members, including the hon. Member for Workington (Mr. Campbell-Savours).

I think that the right hon. Member for Wythenshawe used the word "skulduggery" in relation to what happened on Friday. If the word were really apt—I do not think it is —it would presumably also have to be applied to the actions of, I think, members of his own party who blocked a Bill which was important for the Scottish inshore fishing industry, and which had beneficial fishing and environmental implications, and the fairly wide-ranging Sale and Supply of Goods Bill, which was important to consumers across the country. I simply make those points. I do not think that his word was appropriate and I think that what I have just said should be acknowledged.

That said, I really do not think that I am in a position now, any more than I was at business questions earlier, to add significantly to a number of points that I made on earlier occasions about the various matters that were mentioned this afternoon, although I should like to refer to what the hon. Member for Workington said.

The right hon. Member for Wythenshawe acknowledged that my right hon. Friend the Member for Honiton (Sir P. Emery), the Chairman of the Procedure Committee, was inquiring into the procedures applying to private Members' Bills, and my right hon. Friend has specifically assured me during the debate that he would very much welcome suggestions that Members care to put to him in writing of such improvements as they feel could be made.

I think that that is the right way now to approach the matter, along with the Government's firm and repeated intention to consult widely on a range of proposals in five important fields relating to disabled people, as a way of making constructive, workable progress now, which is what everyone on both sides of the House wants. That is what we should now concentrate on.

In answer to the hon. Member for Workington's remarks about Madam Speaker's ruling on the privilege issue, I am obviously not in a position to interpret—nor indeed should I attempt to interpret—what was in Madam Speaker's mind, although I have no reason whatever to suppose that it was considerations of the type that the hon. Gentleman suggested.

The clear impression that I have—I think that I had better place this on the record, even at the risk of interpreting Madam Speaker's position—is that she regarded the Minister of State's clear-cut personal statement with an unreserved apology to the House as bringing that specific aspect to an appropriate end. It remains my view that the House should now accept my right hon. Friend's apology in the clear-cut way in which it was given and in the spirit in which it was given. No doubt the Chairman of the Procedure Committee, who was here during the hon. Gentleman's remarks, will consider what he said about the privilege issue, as no doubt will Madam Speaker.

The second refrain that has echoed through speeches from both sides of the House was the issue of the Child Support Agency, which came up in the speeches of my hon. Friends the Members for Taunton (Mr. Nicholson) and for Altrincham and Sale (Sir F. Montgomery)—no debate of this type would be complete without my hon. Friend the Member for Altrincham and Sale—and of the hon. Member for Warley, West (Mr. Spellar).

They know that my right hon. Friend the Prime Minister and others have repeatedly said that they are continuing to keep the operation of that agency under review. It is easy to dismiss those as simply routine words, but I believe them accurately to reflect the spirit in which Ministers are approaching those matters, and I am sure that they will bear in mind the various arguments that my hon. Friends and others have made in the debate.

My hon. Friend the Member for Staffordshire, South (Mr. Cormack), who courteously apologised to me for the fact that he would have to be out of the Chamber for a while, made, in his usual courteous and considered way, his appeal for a debate on Bosnia, and emphasised his continuing views of the importance of that. I continue to take note of what he says, as I always seek to do.

The hon. Member for Walsall, North (Mr. Winnick) made several important arguments, on which I would quite like to have spent a little time, including some remarks about employment. It is worth placing on record, however, the fact that, in the year to March, the Employment Service placed more than 1.5 million unemployed people in jobs, including the better part of 500,000 who had been out of work for six months or more, and more than 50,000 people with disabilities. Therefore, the notion that the situation is not improving, and that the Government are not putting great effort into it, would be far-fetched indeed.

There is perhaps a further echo—I have just heard it repeated slightly by my hon. Friend the Member for Gravesham (Mr. Arnold) and it also came from my hon. Friend the Member for Mid-Kent (Mr. Rowe)—about the channel tunnel rail link. I was grateful for some of the things that they said, and less grateful for others. I would say to my hon. Friend the Member for Mid-Kent that I have spoken to my right hon. Friend the Secretary of State for Transport, who has just come into the Chamber, who is extremely puzzled about some of his observations, but has undertaken to study them with care.

The hon. Member for Newham, South (Mr. Spearing) made some observations about my right hon. Friend the Secretary of State for Health, which, I have to say, appeared to me to have the flavour of looking at a molehill

[Mr. Tony Newton]

through a magnifying glass. I hope that I am not diminishing what he said in those ways, but, however one looks at a molehill, it remains a molehill.

Mr. Spearing *indicated dissent.*

Mr. Newton: I will bring the hon. Gentleman's remarks to the attention of my right hon. Friend. As he acknowledged, he has already had some comments from my hon. Friend the Under-Secretary of State for Health, but I will certainly ensure that my right hon. Friend reconsiders carefully what she said, because I manifestly accept that he believes it to be a significant and important point and continues to regard it as a matter of anxiety.

Mr. Spearing *indicated assent.*

Mr. Newton: I acknowledge that.

I do not think, Madam Speaker, that I shall have time to comment on the other speeches. However, I acknowledge the courteous and thoughtful way in which the hon. Member for Delyn (Mr. Hanson) referred to my responsibilities in the field of drug abuse and the importance of the solvent aspect, which I will consider with care.

With that, I hope that the House will yield to my blandishments and agree that, at its rising on Thursday 26 May, it adjourns until Tuesday 14 June.

It being three hours after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question necessary to dispose of proceedings, pursuant to Standing Order No. 22 (Periodic Adjournments).*

The House divided: Ayes 216, Noes 53.

Division No. 259] **[7.05 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Fishburn, Dudley
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hanley, Jeremy
Hannam, Sir John
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howarth, Alan *(Strat'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Maclean, David
McLoughlin, Patrick
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Montgomery, Sir Fergus
Moss, Malcolm
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Page, Richard
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Shaw, David *(Dover)*
Sims, Roger
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stephen, Michael
Stewart, Allan
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Andrew MacKay and
Mr. Derek Conway.

NOES

Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Bayley, Hugh
Beith, Rt Hon A. J.
Bermingham, Gerald
Boateng, Paul
Caborn, Richard

Campbell-Savours, D. N.
Chisholm, Malcolm
Coffey, Ann
Cohen, Harry
Corbyn, Jeremy
Cunningham, Jim *(Covy SE)*
Eagle, Ms Angela
Flynn, Paul
Foster, Don *(Bath)*
Garrett, John
George, Bruce
Hanson, David
Hill, Keith *(Streatham)*
Hughes, Kevin *(Doncaster N)*
Jackson, Helen *(Shef'ld, H)*
Janner, Greville
Jones, Nigel *(Cheltenham)*
Kennedy, Jane *(Lpool Brdgn)*
Kilfoyle, Peter
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
Macdonald, Calum
McFall, John
McMaster, Gordon
Marlew, Eric
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Mullin, Chris
Pickthall, Colin
Powell, Ray *(Ogmore)*
Rendel, David
Simpson, Alan
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tyler, Paul
Wardell, Gareth *(Gower)*
Wareing, Robert N
Winnick, David
Wise, Audrey

Tellers for the Noes:
Mr. Harry Barnes and
Mr. Dennis Skinner.

Question accordingly agreed to.

Resolved,

That this House, at its rising on Thursday 26th May, do adjourn until Tuesday 14th June.

Council Tax (Sheffield)

7.19 pm

The Minister for Local Government and Planning (Mr. David Curry): I beg to move,

That the draft Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994, which was laid before this House on 23rd May, be approved.

On 7 April, the Secretary of State took his capping decisions, adopting principles that broadly gave effect to the provisional criteria that had been set out in the preceding autumn's Budget setting. Sheffield decided to challenge the proposed cap and suggested an alternative. The authority wished to retain its original budget and submitted a substantial paper setting out its reasons in support of a higher cap.

I met a delegation from Sheffield to hear its case. My hon. Friend the Member for Sheffield, Hallam (Mr. Patnick) and the hon. Member for Sheffield, Attercliffe (Mr. Betts) were present at that meeting. We had a constructive discussion and invited Sheffield to respond to further questions—which it did. Before taking his decisions, the Secretary of State carefully considered all the points, including those made and demanded at the meeting.

Sheffield faces difficult decisions, in part because of some budgeting decisions in earlier years that left it with substantial inherited commitments and, in particular, a steep increase in financing costs. Whatever the cost, we have to consider an authority's current circumstances and the case that it presents in support of a higher cap must be considered on its merits. In reaching our decisions, we must take the world as it is and not as we had hoped it would turn out to be.

I am conscious of the fact that Sheffield has to face increased financing payments that are required for the leisure facilities associated with the world student games following a rescheduling of borrowing. No one wishes to see authorities lurching from one crisis to the next. If Sheffield is to succeed in establishing a more secure budgetary position in the longer term, it will need to push ahead strongly with its plans for improved efficiency and better financial management. Sheffield has signalled its intention to pursue further the programme of action that will be needed to put its affairs on a more even footing in the longer term. That will remain essential.

In the light of those and other factors, we must consider the impact that a particular combination of circumstances that faces Sheffield in 1994-95 might have for the provision of local authority services in the city. Having carefully examined all the available information on factors that are relevant to budget setting, our judgment in the circumstances in which the authority finds itself for 1994-95 is that some relaxation in the proposed cap would be justified. Accordingly, we have decided that the final cap for Sheffield should be £381.65 million, a relaxation of £3 million on the amount originally proposed. It is for Sheffield to determine the services to which it wishes to devote the additional resources for which provision is made in the cap.

The final cap represents a reduction on the budget originally set by the authority. None the less, Sheffield will be able to increase its overall budget by 2.6 per cent.

[Mr. David Curry]

compared with the equivalent figure for 1993-94. Two-adult band D council tax in the city will be about £18 lower than in the previous year.

If the House approves the order, we shall serve a statutory notice on Sheffield formally setting its cap. Within 21 days thereafter, the authority must reduce its budget in line with the cap and set new lower council taxes. It is for Sheffield to decide how to live within its cap. However, we are satisfied that the final cap for Sheffield is reasonable, achievable and appropriate in all the circumstances of the city. I commend the order to the House.

7.22 pm

Mr. Keith Vaz (Leicester, East): We are discussing a very important measure which will affect the lives of everyone who lives in Sheffield. I am delighted to see so many hon. Members who represent the city of Sheffield here for the debate. They include my hon. Friends the Members for Sheffield, Attercliffe (Mr. Betts), for Sheffield, Central (Mr. Caborn), for Sheffield, Heeley (Mr. Michie), for Sheffield, Hillsborough (Mrs. Jackson) and for Sheffield, Brightside (Mr. Blunkett).

In last year's debate, the Minister said that local authority spending was £1,000 a head. This year, Sheffield city council proposed to spend just £723 a head. Although that is a massive reduction over last year's level, the Government decided that it was too high. How can that possibly be so? The present round of capping comes at a time when the total budget for local authorities has been cut by 1.2 per cent. since last year.

The Labour party is unequivocally opposed to the idea of capping, for the reasons that my hon. Friend the Member for Blackburn (Mr. Straw) spelt out in the debate on 2 February. However, Sheffield's unfortunate situation is nothing more than the tip of the iceberg. Capping was meant to be a temporary measure with a limited use, but the reality is that, in setting budgets, every council now has to undertake the painful process of capping itself. That is done by the Government announcing the levels that they are willing to accept, and, unless a council wants to suffer the direct intervention of the Department of the Environment, it must set its budget within those defined limits. Effectively, that means that each year services have to be cut by local councillors themselves to avoid the bizarre process of direct Government intervention in the setting and regulating of local budgets.

The Government have almost entirely taken control of local authority budgets, to the extent that we now live in the most centralised system in Europe. That is contrary to the view expressed by the Conservative party in its propaganda for the European elections in which it pretends that it is Labour that wants such a system. The Conservative party is determined to turn local government into little more than its agent, forcing it to undertake the unpleasant tasks of central Government and to take the blame for cuts that are due to Conservative party mismanagement.

Since the Government came to power, they have forced through 195 Acts altering the powers of local authorities. That is more than one Act a month since 9 May 1979. Why has this sustained attack continued? It has continued not for democracy or for the good of the populace but so that Tory paymasters can be given seats on quangos and joint boards.

Quangos now control nearly as much spending as local authorities, but, while councillors are rightly open to public scrutiny and surcharge and possible criminal proceedings, members of quangos are free from even the most basic scrutiny. In the past when irregularities have been found, more often than not the culprit is rewarded with a gong and paid off. The governing ethos of some quangos and board members is "squander and defraud". For every £60 that is wasted by central Government and quangos, local government loses just £1.

The total by which Sheffield city council asked to exceed its new capping limit was £2.5 million. That is less than the amount that the Government have spent this year on mobile phones and pagers. But the money was not to be frittered away: it was to protect vital front-line services. In education, for instance, there will be 40[illegible] more pupils for Sheffield council to educate, but, because of the imposed cuts, there will be 80 fewer teachers. Average class sizes are already over 29 in core subjects.

A third of schools will have to cut spending on special needs facilities, even though there is a growing demand. The district auditor has expressed concern at the effect on development and control of cuts in those areas.

Environmental health spending has had to be cut to such an extent that the council is struggling to achieve its statutory duty level. Sheffield suffers from particular problems caused by the construction of the supertram and the way in which that is treated in the standard spending assessment system. The costs associated with the development of that innovative transport programme have not been recognised in the capping limit.

This year, Sheffield suffered a further cut in its budget through the cancelling of the urban programme and the capital receipts holiday. Sheffield succeeded in raising £19.3 million in extra capital receipts during the holiday period between November 1992 and December 1993. But even that was £5.4 million less than it had received through the urban programme. Sheffield city council made a bid for its budget to be maintained at the level at which the council set it. That level was not excessive, merely a rate that would keep the council tax the same as last year.

I congratulate the Minister on his good grace in accepting that the Government's capping limit was wrong and I congratulate the Government on their decision to increase it. However, if the budget cap is to be increased, it should surely be at the level suggested by the council. The fact that that is not the case leads us to wonder whether the Government are merely playing politics and indulging in a face-saving exercise at the expense of people's services in Sheffield.

The city of Sheffield has suffered extremely badly because of the decline in manufacturing. It lost more jobs in 18 months than the total that we shall lose because of the closure of the coal mines. The city had to cope with that calamity virtually without the help of central Government.

Instead of sitting back and resigning itself to its fate, the city has surged forward and set in place a regeneration partnership with the training and enterprise council, the development corporation, the chamber of commerce, the private sector, universities and the health authority. The survival of that partnership, which is a prime example of exactly what the Government are urging local authorities to do, is threatened because the other partners doubt whether the city council can deliver its side of the partnership because of budgetary constraints.

Yesterday morning, I spoke to the leader of Sheffield city council, Councillor Mike Bower—

Mr. Irvine Patnick (Lords Commissioner of the Treasury): He is in the Strangers' Gallery.

Mr. Vaz: As the hon. Member for Sheffield, Hallam (Mr. Patnick) rightly points out, he is watching this debate.

Mike Bower has already received telephone calls from ordinary people in Sheffield with messages such as this:

> "We do not want our council tax decreased. You keep the money and save the money on re-billing. We want the services."

That may sound unbelievable, but the council tax cut that the Government are forcing on Sheffield amounts to a reduction of only £17.15 for a band D property. The Minister will not like being reminded that the average council tax bill in Labour authorities is £40 less than in Conservative authorities. The sum of £17 does not make a substantial difference. The forced cut is accompanied by the re-billing costs of between £100,000 and £140,000. Those funds must be found from the existing budget and the result will be even more cuts.

Those facts are not new to the Minister, but, as some of the representations that he has received from Sheffield show, the list is far more exhaustive than we have time for this evening and I shall not repeat it entirely. None the less, fully aware of those facts, on the recommendation of the Minister, the Secretary of State is cutting Sheffield's budget by £2.5 million. It seems absurd that Sheffield should have a further £2.5 million torn from its budget when the pay award for teachers alone will cost the city an additional £2.8 million.

The Minister has studied the Sheffield budget and, as he told the House, has met delegations from the city. Will he now tell the House and the people of Sheffield where he proposes that the necessary cuts be made? Which services provided by Sheffield city council are surplus to requirements? The Minister will probably reply that it is not for him to dictate how local budgets are allocated. That is precisely our point. It is not for him, the Department of the Environment or central Government to decide how local budgets are set or spent. It is entirely up to the councillors, who operate under the mandate that they receive from local people, to respond to local needs, and they should be left to set their own budgets.

The reaction of the Liberal Democrat party in Sheffield displayed what the Labour party has highlighted for years —it has no policies and no conscience. Locally, the Liberal Democrat party campaigns saying that it cares for local people and local politics. In Sheffield, those scavengers of British politics insisted that the city council did not bother disputing the cap but just accepted the Government's imposed budget.

However, the appropriately named Liberal Democrat leader, Mr. Moore—although he requires less for Sheffield —was quoted in the *Yorkshire Post* yesterday as saying:

> "We are not out of the woods yet by any means."

One would think that the words "egg on his face" were invented personally for that gentleman.

If the people of Sheffield had a Liberal Democrat council today—a horrifying prospect—they would be £3 million worse off. That means that £3 million worth of services to local people would have been cut because of the attitude of the Liberal Democrat party. The Liberals are beginning to be exposed locally and nationally for what they really are. They care for neither people nor policies; they care only for power for power's sake.

On 5 May, the Conservative party was shown what people feel about its fabrications and failures locally and nationally. The Government and their discredited policies are no longer wanted. Labour is the largest single party at local level because it delivers what it promises. The Labour leadership in Sheffield sets realistic aims and knows how to deliver the services cheaply and efficiently. The Conservative party did not win a single seat in the local elections in Sheffield. The message that local people have sent it is that it is neither wanted nor trusted. That is not surprising when we consider the underhand way in which local authorities are being treated. The Conservative party has been exposed as the "do anything, say anything to get into power" party.

Today, Sheffield city council becomes the latest casualty of the secret war being waged against democracy and representation. Local needs are being superseded because of the Government's failure nationally. *[Interruption.]* The Minister may laugh, but that is the reality in Sheffield. Instead of supporting the civic entrepreneurs of Sheffield and other major towns and cities, helping to make them the best in Britain and able to compete with the best in the world, the Conservative Government are setting about their destruction.

The past 15 years have seen a catalogue of interference by the Government. Year after year, good, effective councils such as Sheffield have been made to suffer increasingly, leaving the people of those cities desperately short of resources and services. How can the difficulties experienced by Sheffield and other cities be squared with the corruption in Westminster and the massive handouts received by Wandsworth from central Government? I remind the Minister that Wandsworth receives 11.6 per cent. of the total non-needs related grant for the whole country, yet it has a population of just 0.5 per cent. that of the whole country. In 1993-94, Wandsworth received 25 per cent. of the council tax transitional relief set aside for each of the 33 London boroughs. Regardless of the gerrymandering that has been occurring for the past 15 years and despite the Government's obvious favouritism for its own councils, Labour councils cost less and provide more.

The leaders of Sheffield city council, past and present, and their excellent Members of Parliament—my hon. Friends the Members for Brightside, for Attercliffe, for Sheffield, Central, for Heeley and for Hillsborough—have fought hard to protect the services which people in Sheffield want. Yet, this year, regardless of local needs, the Government are imposing a stiff cut in funding. That great and dynamic city is now faced with the stark reality of being made to pay for the bankrupt policies of the Government at a cost to those who elect the council.

Even at this late stage, I urge the Minister to listen to the representations that he will hear this evening from the hon. Members who represent the people of Sheffield, and to take heed of what the city council has requested by increasing the cap limit by a further £2.5 million.

7.37 pm

Mr. Bill Michie (Sheffield, Heeley): First, I welcome the news that at least £3 million will be handed back to Sheffield where it rightly belongs. I also welcome the

[Mr. Bill Michie]

speech of my hon. Friend the Member for Leicester, East (Mr. Vaz) and his glowing report of how Sheffield council, in difficult times, has literally picked itself up by the bootstraps. It has stood on its own feet because few of the resources required have been forthcoming from central Government.

The point has been made about the demise of the manufacturing industry and how Sheffield has taken tremendous risks in developing sports facilities. It has taken the criticism and blame for that, but, ultimately, it has changed the whole of the east end area, which otherwise would to this day have remained almost derelict.

I suppose that we should be grateful for the extra £3 million. It will certainly be welcomed in Sheffield and will be well spent. Although the increase is small, it will be regarded as a good housekeeping certificate for Labour-controlled Sheffield city council.

Mrs. Helen Jackson (Sheffield, Hillsborough): I am grateful to my hon. Friend for giving way. He has spoken about important issues and small projects. The sum of £3 million will be worth while when the council is working out what cuts it need not make. Like me, my hon. Friend will want to ensure that the money is spent on education and other crucial areas which affect people's lives. For example, perhaps we can look forward to the provision of public toilets in Hillsborough which, until now, has not had those sorts of basic facilities.

Mr. Michie: I thank my hon. Friend. We could catalogue a great many worthy projects, and my hon. Friend has outlined one or two. There will be a sigh of relief that the £3 million is coming back to Sheffield.

Mrs. Jackson: Certainly for people shopping in Hillsborough.

Mr. Michie: No pun intended, Madam Deputy Speaker. There will be a sigh of relief, not just because some toilets may be opened. Many libraries in Sheffield, which provide an essential service, may be safe for another year and, we hope, for ever.

Before my hon. Friend's intervention, I made the point that Sheffield city council will be seen as a good housekeeping authority. That message will be clear to the people of Sheffield. There is another clear message for the people of Sheffield which was referred to by my hon. Friend the Member for Leicester, East: it will be clear that the Liberal opposition party in Sheffield was wrong again.

The problem in Sheffield, like that in many other local authorities—I hope that Liberal Democrat Members are listening; if they are, it will be the first time since I have been here—is that, when the squeeze is applied by central Government, the electorate is bound to say that some responsibility must lie with the Conservative Government. But the Liberals go around peddling their wares and convincing the people that it is the fault not just of the central Government, but of the Labour-controlled local authority.

The Labour authority and the central Government are doing what they believe to be right and, without any philosophy or policies of their own, the Liberals come up through the middle. They are getting jam simply by accusing other people of making mistakes. I have always said that anyone who has never made a mistake has never made anything. I assume that that is why the Liberals claim to have never made a mistake.

Mr. Richard Caborn (Sheffield, Central): Does my hon. Friend recall the challenge that was thrown down by the leader of the Sheffield city council, who is a very honest man? As they say in Yorkshire, he put his money where his mouth is—Conservative Members suggest his "gob", but I am not that crude—wagered £100 and invited anyone to find a deliberate lie or mistake in any of the literature released for the local election campaign. The local Conservative members also put up £100 and the matter was to be adjudicated by the legal department of the Sheffield university.

The Liberal party was the only party in Sheffield which was not prepared to wager £100 on the honesty of its election material—its propaganda. Does not that underline the point made by my hon. Friend that the Liberals peddle one thing in one area and another thing somewhere else? They have been caught out time and again for being "economical with the truth".

Mr. Michie: I appreciate the point that my hon. Friend has made. I do not want to spend too much time talking about what will, we hope, be the demise of the Liberal party in Sheffield. The Liberals gained seats in the election by peddling that sort of rubbish, but now they have been found wanting. Labour's Front-Bench spokesman, my hon. Friend the Member for Leicester, East, said as much. The hon. Member for Bath (Mr. Foster) has returned to the Chamber with some homework or another brief from somewhere.

At the end of the day, the Sheffield local authority has been proved right in taking the risk of coming back to the Government to ask for the money. The Liberals put out a leaflet saying that it was a dead loss; they told the people of Sheffield that the cause was hopeless. As far as I am concerned, the only thing that is hopeless in Sheffield is the Liberal Democrat opposition on the city council.

I do not wish to detain the House for too long, but I want to tell hon. Members about the letters that Members of Parliament from Sheffield have received outlining all sorts of concerns in that area. There are some macro-economic problems in the area, such as the supertram project. But it is a project which will put Sheffield on the map for the next 10, 20, 30 or 50 years as an example of what can be done even in difficult circumstances.

Most hon. Members from the Sheffield area, and certainly the local councillors, have received letters from parents who are concerned about the cuts in secondary education spending this year. There will be more than 400 additional students and about 80 fewer teachers. More than 75 per cent. of year 7 students will be in larger classes for English, maths and science, with an average class size of more than 29 students. Almost 70 per cent. of schools are planning total cuts of more than £100,000 in repairs and maintenance. A third of schools are planning cuts in special needs areas, even though they have more students. More than half of all schools are planning cuts of more than £160,000—or 13 per cent.—in classroom resources. There will also be dramatic cuts in management teams in many schools at a time when there is far more work to do. We are sure that that is happening in primary schools also.

Not just education, but other front-line services have also been affected. People that I talk to in my surgeries and the people from the city council tell me about the problems and pressures that family and community services face in Sheffield. The Government talk about care in the community, with pressure on hospitals to get people out of hospital beds and back into the community. At the same time, social workers are over-stretched and overwhelmed by the amount of work that they are expected to do with dwindling resources.

I am not talking about over-spending. This is reality of demand that is there for all to see. The Government talk about training; starting that training means making sure that people have decent homes, decent social services and decent education. That is where the training of tomorrow's new technocrats will start. We ignore that fact at our peril. All these services are presently over-stretched.

Our slogan in the last election campaign was "A Fair Deal for Sheffield". We are not asking for special privileges; we are asking to be at least on par with most of the other local authorities. We dare not ask for the sorts of facilities that Wandsworth and Westminster might receive. Of course, it would be very nice—we could have a rate-free holiday for the next four or five years and still increase services.

I received from the House of Commons Library today a breakdown of the amounts of revenue support grant per head paid to Sheffield as compared with Wandsworth and Westminster in 1994-95. The amount of RSG per head payable to Sheffield this year is £372, compared with £507 to Wandsworth and £760 to Westminster. The two London boroughs, but not Sheffield, will also receive a standard spending assessment reduction grant in 1994-95 which will bring their total grant entitlements to £606 per head for Wandsworth and £797 per head for Westminster. By no stretch of the imagination could that be called a fair deal. In no way, shape or form can anyone claim that Wandsworth and Westminster are in dire need of more help from central Government than places such as Sheffield.

All we are asking for is a fair deal. Given a fair deal, we shall make sure—as we shall anyway, whether or not we get trodden on—that Sheffield will overcome the difficulties that it has faced over the past 10 or 15 years and will remain, as it always has been in the past, a proud and prosperous city.

7.49 pm

Mr. David Rendel (Newbury): I was delighted to hear the attacks on the Liberal Democrats from the Labour Benches. I hope that we get some from the Conservative Benches as well. It shows we are winning conclusively when we are attacked by the other two parties in such ferocious terms.

My concerns about the order are to some extent in line with those of the Labour party and centre on the reasons behind the process of capping introduced by the Conservative Government.

I shall start by commenting on what has happened in Sheffield this year in the budget-setting process.

Mrs. Helen Jackson: I am grateful to the hon. Gentleman for giving way. Before he goes any further, does he agree with what he has heard from the Minister today—that it was totally reasonable that the council expenditure should now be increased by 2.6 per cent. and that it was totally misguided of his party in Sheffield, in the face of thousands of Sheffielders signing the "Fair Deal for Sheffield" petition urging the council to go for redetermination, to oppose that very sensible cause so strenuously?

Mr. Rendel: If the hon. Lady had allowed me to continue without intervening before I had started my speech, she would have realised that I was about to answer her point.

It was clear at the time of the budget-setting debate in March in Sheffield that it was possible to produce a budget in line with the original capping limit set by the Government, and, indeed, such a budget was proposed by the Liberal Democrat group at the time. Since then, we have had a further election. It might be worth while for Labour Members to ponder on the results of the election before they accuse the people of Sheffield of having agreed with them rather than us about the budget that was set by the Labour-controlled council.

It is important to note, however, that as a result of the whole process of redetermination, the council's costs in Sheffield have risen considerably. The council will need more money in order simply to pay those costs. Our estimate of the cost simply of re-billing is higher than that given in the debate by the Labour party spokesman. Our estimate is more like £300,000. If we add to that the officers' time, the councillors' time and all the extra administration involved in resetting the budget, it is clear that a large proportion of the extra money that Sheffield will be allowed to spend will be entirely wasted on administration. The council is already spending money unnecessarily on administration, as we showed in our budget speech in the Sheffield council budget debate at the time.

Mr. Caborn: Will the hon. Gentleman tell us where he got those figures? The figures given by the Labour Front-Bench spokesman and by my hon. Friend the Member for Sheffield, Heeley (Mr. Michie) have come from the city treasurer and the chief executive. Is the hon. Gentleman calling them liars?

Mr. Rendel: Those figures were given in the Liberal Democrat manifesto before the election. I understand that it was confirmed at the time of the budget that those figures were correct and that they were agreed by the officers of Sheffield city council at the time. If Labour Members are quoting the Sheffield city council officers, I do not see why I should not quote them as well.

The addition of all the extra costs, including the costs of administration that, quite unnecessarily, were included in the original budget, has proved that Sheffield will now have to spend a great deal more. Unfortunately, that means that the extra money will not in practice be used to increase the real services to the people of Sheffield, and that is the problem that the people of Sheffield face. The problem with the whole process involves capping.

Mrs. Helen Jackson: I am grateful to the hon. Gentleman. I am, however, puzzled by his arithmetic. As far as I can judge, even on his inflated figures of £300,000, £3 million minus £300,000 leaves £2.7 million? Is that right?

Mr. Caborn: Give or take a few.

Mrs. Jackson: Is the hon. Gentleman arguing that £2.7 million was a total waste of time?

Mr. Rendel: The hon. Lady was not listening. I said that it was only part of the total costs involved in the redetermination process; it was merely the cost of re-billing. I shall now proceed, as the interruptions are wasting the time of the House.

The real problem involves the capping procedures. Capping procedures have now produced the ridiculous outcome that no fewer than 36 of the 39 county councils listed in the *Local Government Chronicle* have set their budgets this year precisely at the capping limit. Only three are below it and the only two more than 1 per cent. below the capping limit are Hampshire and West Sussex, which are both now run by the Liberal Democrats. That shows that the whole process of setting budgets has been taken over by central Government. That is now the problem for local government.

The Government have, to a large extent, deformed local democracy. I and my party believe that the people should be allowed to choose the rate at which their local authority taxes are set. The people should be allowed to choose the level of services in their local authorities.

There are, however, some signs that local democracy is beginning to work in Sheffield. Sheffield has become known as the Lambeth of the north. It is wasteful, inefficient and ineffective. It is a council of which the Labour party has every reason to be ashamed. The results of the election on 5 May this year were that the Liberal Democrats gained all three seats that the Tories were defending.

Listening to the Labour party spokesman dealing with that issue a moment ago, one would have thought that Labour had succeeded in winning seats from the Tories. He was telling the Tories how much they were hated by the people of Sheffield and he was right, but in their hatred the people of Sheffield did not choose to turn to the Labour party. When they threw out the Tory councillors, they chose to turn to the Liberal Democrats. Moreover, the Labour party lost no fewer than eight seats to the Liberal Democrats in that contest.

The people of Sheffield have been described today in the House as having voted for the party that is the scavenger of local government. Labour Members would do well to consider their words before they insult the people of Sheffield in that way. Anyone would have thought from the speeches made in the House today that the Labour party, not the Liberal Democrats, had won the local elections in Sheffield.

May I remind the House that the percentages, of votes given to the Labour party and the Liberal Democrats this year were almost identical? If that continues for many more years, needless to say the Liberal Democrats will take over the council in Sheffield and that will be to the people's benefit.

If only the Government would leave the people of Sheffield to decide for themselves what they should spend and if only they would leave Sheffield city council to decide what it should spend, the people would have chosen and I believe that in future the people will choose a Liberal Democrat budget.

7.58 pm

Mr. Clive Betts (Sheffield, Attercliffe): I begin by saying that by not voting against the order we are in no way implying that we approve of the capping procedures or the principle of capping. There is a straightforward choice—whether or not to accept an order which increases the spending ability of Sheffield council by £3 million above the current limit. On that basis, we recognise that the Minister has gone some way towards accepting the case put forward by the council for an increase in its spending limit through the redetermination process.

We welcome the Minister's proposals, so far as they go, but we have some difficulty in understanding why the Government have decided to increase the limit by only £3 million rather than by the figure for which we asked. The extra £2 million would have been extremely useful in helping to protect essential services in the city. Why did the Government come up with the figure of £3 million? When I went with a council delegation to meet the Minister a few weeks ago, the council forcefully made the point that even £5 million would not solve all its problems, but it would maintain the council tax at its current level and keep many essential services intact.

It is difficult to understand why the Government have chosen to go only part way towards recognising the council's case. Seemingly, they picked the figure of £3 million out of the air—after all, the matter cannot be that scientific. We do not understand why the Government are forcing a re-billing exercise on the council just to save people £10 a year on the average council tax bill. No one has written to me saying that the Sheffield council tax is too high and should be reduced, but many have written saying that they want their services protected and extra money spent on them and I am sure that my hon. Friends have received similar letters.

Nevertheless, with my council colleagues and officers of the council who attended the meetings with the Minister, I recognise that he listened to us, asked questions and raised all the appropriate issues. We thank him for that and for the provision of the additional £3 million. Sometimes when I hear Ministers referring to meetings that I have attended I wonder whether we were even in the same room, but in this case the Minister's description of our meetings was fair and accurate. He has also been helpful behind the scenes in considering the rescheduling of the debt on the city's sports facilities and we thank him for his assistance on that.

We have to make the point clearly that the £3 million which has been added to the money that the council can spend means not more money to spend, but less money to be cut from its budget, and the £2 million that the council still has to find is on top of the £27 million of cuts that it is already making in this year's budget.

Despite that, the order is a recognition of three things. The first is that the Government initially set the spending level too low: they got it wrong and were forcing the council to make too large a cut in expenditure on local services.

Secondly, the order is a recognition that when the Government increased the standard spending assessment level in the autumn, they produced a grant increase for the city of £12.5 million but allowed it to spend only £6 million of that. We acknowledge that in the SSA process the Minister recognised the campaign on behalf of our city and other authorities that the SSA process treated us unfairly.

The nonsense is that the capping regime is linked not only to SSAs but to year-on-year expenditure. We thought it extremely unfair that, having acknowledged that in the past our SSA had been too low, the Government increased it in the statement last autumn but then used the budget year-on-year increases to fix the cap for the current financial year. Those increases were related to last year's budget, which in turn was related to last year's SSA, so this year's increase in SSA was not properly reflected in the council's ability to spend.

At least today's order goes some way towards recognising that the whole process of capping, which tries to work through the SSA system and the year-on-year budget increases, is a nonsense, especially when there are changes to the SSA. That point was made forcefully in the council's submission.

Thirdly, the order is a recognition of the fact that the council's campaign has been successful. It was an extremely effective and well argued campaign. My hon. Friend the Member for Sheffield, Heeley (Mr. Michie) referred to the excellent petition—known as the "fair deal for Sheffield" petition—which was signed by thousands of local people, who should be given credit for their part in our success. We should also recognise the very professional job done by my colleagues in the Labour group on the city council and also that of the council officers who put the information together.

Although the formal process somewhat defeated the Conservative group on the council in terms of giving absolute support, we recognise that in the past councillor David Heslop, the leader of the Conservative group, came with a delegation to meet the Minister. The hon. Member for Sheffield, Hallam (Mr. Patnick) has also given his support and we are aware of his work behind the scenes. We acknowledge that support and wish to put it on the record.

I regret that the same cannot be said for the Liberal Democrats. It is worth putting their attitude clearly on the record: "party political" are the only words that can be used to describe their approach. They saw the possibility of short-term gain and tried to bamboozle people in Sheffield into believing that somehow the campaign was a gamble which was bound to fail and that nothing would come out of it for the city or for the services that it provides. They sold our city short and they should be ashamed of themselves.

I am waiting for the next "Focus" leaflet to be circulated in Sheffield. How will the Liberal Democrats explain the £3 million which the city will now get and which it would not have got if they had been in control of the council? Indeed, I wonder how we can possibly be here discussing redetermination to give the city £3 million pounds when apparently it had already been decided not to do that. Liberal Democrat leaflets which dropped through letter boxes at the recent elections actually said:

> "The Labour Council's gamble that the government would bail them out of their financial mess has failed. Now your services will be slashed again. The biggest losers will be Sheffield schools. Almost £3 million more will be taken from the schools' budget."

That was nonsense. As a result of this order and the redetermination process, schools' budgets will be protected and there will be no further reductions in their budgets.

Those leaflets were put out by two Liberal Democrat candidates. They did not say that the process was only part way through because, although the Government had turned down our application at the initial stage, the council had the right to appeal; they said that we had failed. Quite frankly, the two people responsible for those leaflets being put through letter boxes lied their way on to Sheffield city council.

Mr. Caborn: Rather than describing Sheffield as the Lambeth of the north, as some have called it, would it not be more accurate to say that if the Liberal Democrats controlled the council it would be the Tower Hamlets of the north?

Mr. Betts: As my hon. Friend says, it is difficult to identify anything that the Liberal Democrats stand for and we never hear any positive proposal from them. We can be certain only that if the time ever came when they had to put forward proposals and were responsible for carrying them out, they would disagree among themselves on what the proposals should be. So far, all that we see from them is how they disagree with every other party on the city council.

Mr. Rendel: Will the hon. Gentleman confirm that as many people voted for the Liberal Democrat proposals in this year's budget as voted for the Labour proposals?

Mr. Betts: I confirm that arithmetically the hon. Gentleman is correct. However, I can also confirm that the lies and pretence from the Liberal Democrats and their lack of a clear policy statement deceived some people. I will give the hon. Gentleman one more piece of evidence of that. During the council elections, his colleagues in Sheffield persistently issued the statement that the city council's deferred purchase schemes were responsible for increasing the city's debt and for its current problems. No one would have guessed that the same Liberal Democrat party voted for those very same schemes. It supported the first tranche on 26 November 1985; it supported the second tranche on 21 March 1986; and it supported the third and final tranche on 25 March 1986. Every bit of the deferred purchase was supported by the Liberals, who then used the current problems of the city's budget and tried to blame them on decisions taken in the past for which they had voted in the council chamber. That is a disgrace.

What we are also dealing with today is a recognition, after years of campaigning and trying to get across an understanding of the city's real position, that we had a real case to make. Sheffield is used to a high level of services. People have come to expect them, and there is nothing wrong with that. During the 1970s and 1980s, people outside the city as well as those in it recognised that its education system was first rate. Class sizes were low and people in Sheffield had a good education. Our social services were good. There was a large number of home helps for the population, a large number of old people's homes looking after people in the proper way, and an excellent and well funded library service. Of local authorities, we were among the top two spenders on the arts. We had excellent parks and open spaces. The city was renowned for its good standard of local services.

In the early 1980s, central Government tried, by withdrawal of the rate support grant as it then was, to force the council to cut services. But the council—my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) was leader of the council at the time, and several of my hon. Friends who are here today were members—put up the rates by 40 per cent. and 30 per cent. in two successive years, and people continued to vote Labour, as they did in many other cities and authorities throughout the country. They exercised their democratic right to say, "We believe that the local council is right to protect local services."

By 1985, the Government had decided that, as their reduction of the rate support grant would not bring about

[Mr. Betts]

the reductions in expenditure, they would introduce the capping legislation, and slowly began to exert pressure on the council. Initially, we produced the deferred purchase arrangements and other ways in which we could sustain services, but ultimately the process of continual attrition by central Government caught up with us.

Mrs. Helen Jackson: Before my hon. Friend moves off the point about the standard of services in Sheffield, would he like to add class sizes to the list of excellent standards, and recognise the immense concern that is felt by parents throughout the city at present about the ever-increasing class sizes forced on the council and the education service by the squeeze on school budgets?

Mr. Betts: My hon. Friend is absolutely correct. I was at a meeting the other day with head teachers in my constituency. Every one of them had class sizes of more than 30, and some had up to 38. We have reception class sizes of more than 30. It cannot be right in this day and age to prejudice the future of our young children by such increases. It is a real problem, even though Sheffield is still spending above its SSA on education: we are still spending more than the Government's guidelines.

But Sheffield is not a high spender any more. We are not talking about £3 million more for an authority with a record. The idea that somehow we are the Lambeth of the north is nonsense in terms of management of the authority, as I shall illustrate. It is also nonsense in terms of how much the authority spends per head of population. The SSA for Sheffield is £700 per head. The metropolitan average is £743. As my hon. Friend the Member for Heeley said, if we had the average we would have £22 million more in SSA and grant. Even the original capped budget for the city is £713 per head—8 per cent. below the metropolitan average.

We are not talking about a city with high council taxes. When Sheffield levied its council tax, it was still £18 below the metropolitan average for the average tax and £3 below for band D. It will be even lower if the order is passed today. Its capped budget was only 1.9 per cent. above its SSA. The vast majority of metropolitan authorities are allowed to spend at a higher level above their SSA than the amount that the Government are allowing for Sheffield.

No one should get the idea that somehow Sheffield has recognised its problems late and is suddenly making quick and ill-thought-out cuts in its budget. The process has been going on since 1987. Very large cuts are taking huge chunks out of our services—£108 million in the past three years alone. Some 5,000 jobs have gone in the city council since 1990, and 7,500 since 1987. The council has not simply cut services: it has looked very hard to find ways to improve efficiency. The disgraceful comments of the hon. Member for Newbury (Mr. Rendel), who clearly did not know what he was talking about—he has probably never been to Sheffield and does not understand our city—does not appreciate that the council made £25 million in efficiency savings in the past three years. Last year, Sheffield was voted by people in local government as one of the 12 best-managed local authorities in the country.

Mr. Rendel: Perhaps the hon. Gentleman will allow me to answer the point by pointing out that, in practice, the budget proposed by the Liberal Democrats this year showed a great cut in administrative costs and bureaucracy and an increase in spending on education.

Mr. Betts: That is a fascinating bit of information—again, I presume, gleaned from one of the "Focus" leaflets that the hon. Gentleman has been believing when in fact they should carry a health warning. What he said is not true. Sheffield has a very low level of expenditure for central administration, treasury personnel and other departments. It has a record for achieving savings. Let us consider the reductions in the number in the past few years. Since 1990, while the reduction in service departments was 15 per cent., in central departments it was 20 per cent., which shows where the council has targeted its efficiency savings.

As for the Liberal budget, it is difficult to believe that with £5 million less than the Labour group, because the Liberals did not support redetermination, they could have put more into education. In fact, the city treasurer's own figures show that the Liberals propose to spend £2 million less on education in the council budget process this year than the Labour group. That is another of the lies and deceptions put out by the Liberals in Sheffield to try to mislead people.

Sheffield is an efficient council. I quote from the redetermination document and from the district auditor, who said in his last management letter:

> "the real message emerging from the reviews (value for money) is that the Council and its employees have worked hard to protect the quality of services in the face of sustained budgetary pressures. Indeed, contrary to what might be expected, I have encountered a resilience and determination to protect core services and evidence of some innovative and forward looking developments."

That seems to me to be a very clear statement. I would sooner believe the district auditor, who lives in Sheffield and works there on a daily basis, than the hon. Member for Newbury, who has been passed second-hand and rather wrong information about the real situation in our city.

In the end, efficiency savings can go only so far. We can catalogue a whole list that the council has been through and the various reviews that it has undertaken, but, as my hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) said, in the end core services have been affected. Class sizes have increased, home help charges have been introduced, library opening times have been cut, social services are under pressure, and services such as grass cutting, street cleaning and highway maintenance have all had to suffer because those are the things that the council spends the vast majority of its money on. Let us not try to deceive the public. No party could have made those cuts without hitting core services. To pretend otherwise is to deceive oneself, which is what the Liberals want to do, but more importantly also to deceive the people of Sheffield. Frankly, our people deserve better than that.

The whole process that we have gone through has occasionally been highlighted by one or two grand comparisons. The Prime Minister recently compared Sheffield with the Seychelles. In some ways we were rather flattered by that comparison. If the Prime Minister cannot tell the difference between Sheffield and the Seychelles, that may be one of the reasons why he has problems being Prime Minister.

In terms of debt, Sheffield's revenue budget spend on its past borrowings is 9.3 per cent., which is just about the metropolitan average—surprise, surprise. Then there is the mainstream debt—the money that is borrowed to build and maintain roads, to build schools, housing and libraries, and old people's homes. When the question was put to the city treasurer at the redetermination meeting about whether it could be reduced—the council has some balances through capital receipts, which it cannot spend and use at present—he pointed out that to pay off the debt rather than keep the balances would cost the council money because the debt that we have was entered into at such favourable rates that the amount that we spend on financing it is less than the Treasury can currently obtain from investing the balances. The officials were apparently satisfied with that explanation.

We have, of course, entered into other arrangements—the phrase "off the balance sheet" is sometimes used to describe such arrangements—on an innovative basis, to try to improve services in our city. We have built more than 2,000 homes through the housing partnership scheme. I stand by that: when the number of homeless families being rehoused is running at up to 2,000 a year, waiting lists are growing and people are desperate for housing, it cannot be wrong to build 2,000 new homes.

Similarly, we entered into the deferred purchase arrangements for the simple reason that we wanted to protect our services from cuts. As I have said, the Liberal Democrats voted with us on all the arrangements at the time; even the Conservative group on the council supported the first £25 million, so it is hardly cleared of responsibility for that decision either.

We entered into the arrangements for new sports and arts facilities in the city. Again, there is a slight difference between my recollection and that of the Liberal Democrats. Labour voted in the city council for spending on all those facilities; the likely yearly cost of paying back the borrowings was clearly laid out in reports from the city treasurer—I shall deal shortly with one of the difficulties that were encountered subsequently—and all the groups on the council voted for the funding and building of those facilities. We were supported by the Conservative opposition, and by Liberal council members.

No one would know that from reading any of the leaflets put out by the Liberals in the local elections—but, of course, the Liberals changed their minds. Halfway through the building of the facilities, they decided that they did not want them and had not really supported them after all. If a Liberal council—as described a few moments ago, in his wildest dreams, by the hon. Member for Newbury—actually existed in Sheffield, we should have the most expensive building site on record. It would be full of half-built facilities that the Liberals had voted to start before changing their minds and failing to support them—again, because they had decided that they could gain some short-term popularity by claiming that they had not voted for the expenditure in the first place. They could then say that Labour was responsible for the increase in class sizes and home help charges, having built facilities that the Liberals had not supported in the first place. That is hypocrisy of the first order; it is time that the Liberals stood up and explained why they have misled people about that issue as well.

I hope that the Minister will eventually deal with one issue related to the SSA—the funding of capital. There is a problem in the methodology. An Audit Commission report produced by Price Waterhouse pointed out that fundamental difficulties were involved in trying to explain how the Government allocated finance for capital through the SSA system. If its recommendations had been followed, Sheffield would have had an extra £13 million to spend, which would have paid off the borrowings on the games facilities on a yearly basis. That is an interesting figure.

There were problems with those games facilities. The difficulties relating to Hammersmith and Fulham caused the financial markets to react against local authority borrowing at the time. We eventually did a deal for 10 years rather than the original 21, which meant that the council had to find an extra £12 million a year. No political party had supported that in its initial plans. The city treasurer is trying to renegotiate the debt and return to the original terms, and I thank the Minister for the part that he has played in trying to reassure the banks and improve the position.

The supertram scheme, however, is one issue on which the Minister has not been able to reassure us. The present position is nonsensical. Eight million pounds now goes through the books of south Yorkshire's local authorities in revenue support grant and is passed on to the supertram project. Because of the problem with the way in which the cap is calculated—on a year-on-year spending basis—South Yorkshire council, although it need not find the money involved, has other spending displaced because of it. That lowers the level of other services that it provides. I hope that, at some point, the Minister will consider the issue of that disregard.

My hon. Friend the Member for Leicester, East (Mr. Vaz) kindly drew attention from the Front Bench to the problems that Sheffield has experienced in the past. Let me put Sheffield's budget, and its problems over the past 10 years, in the context of the enormous problems experienced by the city as a whole. It has experienced an industrial trauma; it has lost jobs on a massive scale; the heart of its industry has been ripped out. Over 40,000 jobs have been lost in the lower Don valley alone in the space of about five years. Unemployment rose from a figure below the average to 4 per cent. above it.

It is a credit to some of the measures that we have taken that unemployment in Sheffield is now only 2 per cent. above the national average. It is still far too high, but we have done something to recover the position in partnership with the private sector. Many projects have been launched. I have mentioned the housing partnership scheme and the building of new sports facilities; others are combined heat and power, supertram, Sheffcare—an innovative new scheme to look after elderly people in homes—the establishment of the Sheffield economic regeneration committee by my hon. Friend the Member for Hillsborough when she was a member of the city council and the creation of the liaison group. The current council leader, Mike Bower, established that group, working alongside the development corporation. We did not support the setting up of the corporation, but we agreed to establish a working relationship with it for the benefit of the city.

It is probably no surprise, therefore, that in its redetermination bid the city had the support of the chambers of commerce and trade in Sheffield. They recognised the strong case that we advanced, and the city's willingness to work in partnership.

Mr. Caborn: It had more support from them than from the Liberal party.

Mr. Betts: Indeed. Apparently, the Liberals were the only people who did not support us—or, rather, did not support their city—when it came to the crunch.

We hope that the Minister will examine some of the anomalies that we see in legislation, especially on the capital side. Despite the changes that have been made this year, he still has some way to go. We should not be having this debate tonight; the decision whether Sheffield spends an extra £3 million or an extra £5 million ought to be down to the people of Sheffield, through their elected local representatives. It ought not to be decided by a few Members of Parliament who are present tonight—some of whom represent Sheffield, although most do not. We should return to local democracy and accountability.

Ultimately, we are not even talking about extra money that the Government are going to give Sheffield. We are talking about how much of the people's own money should be spent in council tax. That really ought to be the council's decision. The Minister has shown himself to be a reasonably reasonable man—if that is an acceptable phrase—but he should think about the capping issue. The present position is completely undemocratic. I accept that the SSA system is difficult enough when it is used simply as a grant distribution system, but it is almost impossible to operate it fairly when it is used as a capping system.

People throughout local government in all political parties have argued that capping is unfair and undemocratic. I hope that at some point the Government will recognise that too, and will remove the system so that we need have no more debates like this one.

8.27 pm

Mr. Curry: This has been a good-natured, good-tempered debate. I acknowledge the presence of my hon. Friend the Member for Sheffield, Hallam (Mr. Patnick), who has made strong representations—although he cannot speak in the House because of his position. The hon. Member for Sheffield, Attercliffe (Mr. Betts) was generous enough to acknowledge the role that my hon. Friend had played; he also acknowledged the "Minister for Sheffield", the Parliamentary Under-Secretary of State for Employment, my hon. Friend the Member for Maidstone (Miss Widdecombe), who is a vociferous—I know that the House will not find that difficult to believe—advocate of the Sheffield cause.

Today I have dealt with two great Yorkshire cities. This morning I launched the world-class Leeds initiative in the city hall, at the invitation of the city council, in my capacity as "Minister for Leeds". I was delighted that the city council, which had clearly done well out of the SSA system, was able to offer a glass of champagne afterwards. At 9.45 am, however, that was generosity that even I felt unable to accept.

Yesterday I met representatives of the Sheffield and Rotherham chambers of commerce and industry. They explained the partnership schemes in which they were involved, and in particular their hopes to take part in one of the Business Links partnerships. I am therefore conscious of the partnership work being done in both those great Yorkshire cities.

As I listened to the arguments that raged—if that is the right word—between the hon. Member for Newbury (Mr. Rendel) and the rest, I wondered whether it was worth my staying at all. I could have taken an early train. The hon. Gentleman was clearly acting as a lightning conductor for the debate. Liberal Democrat councillors in Sheffield must be terrible people for their wickedness so rapidly to have become apparent. No doubt that argument will continue to rumble.

Mr. Rendel: Is the Minister prepared to agree that what I have said tonight—and perhaps the answer will be given firmly to the Labour party and of course to the Conservative party, too—will be justified if the Liberal Democrats' progress at next year's elections continues as it has this year?

Mr. Curry: I am a great believer, as football managers say—including that of Sheffield United, whose departure from the Premier league I regret—in taking each day as it comes.

The hon. Member for Leicester, East (Mr. Vaz) tried hard to be fierce but he did not quite pull it off. I shall not respond to his recapitulation on some of his familiar themes. He knows that I disagree with him. There is a wider debate to be held on those issues, as we both recognise, but it was a nice little cameo performance.

Everybody acknowledges that the procedure has been followed and it has led to a sensible result. We set a cap and lay down a procedure whereby a council has the option of redetermination. I suppose that I could have said, "This is all for the birds; we shall go through the routine but it will not make any difference." I do not do things in that way. I listened to the council and, as its leader will acknowledge—indeed, the hon. Member for Attercliffe had the grace to do so—at our meeting we asked serious and searching questions and asked the council whether it could provide answers that it might not be able to provide immediately. It did so efficiently. It was an effective presentation, which the procedure is designed to achieve. As a result, we reached a reasonable final settlement. In that sense, the war is over—perhaps we shall resume it next year—and I am delighted that that is so.

The hon. Member for Attercliffe raised various specific issues at which he wished me to look. We have had the argument about the supertram in the past. We are reviewing further elements of the SSA system, of which we have given a list to the local authority associations. There is nothing secret about it; the hon. Gentleman will be familiar with those issues. I shall pursue them with the openness, which I hope he will acknowledge, with which I pursued this year's review. The introduction of employment and health indicators this year acknowledged the pressure that the Webber Craig authorities in Sheffield in particular had brought to bear. They advanced a well-argued case, which we accepted, and it appeared in the SSA system.

The hon. Member for Attercliffe rightly said that it is not my job to decide how the council distributes its expenditure. He said that what we have done will enable the education budget to be safeguarded, and I welcome that.

Sheffield acknowledges that it has had its problems, but, as I said in opening, it is not my role to give a history course in how they might have arisen. We must deal with them as they exist. The council's "Agenda for Change" acknowledges that steps must be taken to improve the way in which it deals with its affairs, but few councils are not capable of achieving such changes. I welcome what is happening.

We have reached a reasonable settlement and it has been well received in the city. I acknowledge Labour Members' continuing concerns—I am a Yorkshire Member and have special responsibility for the Yorkshire cities of Leeds, Bradford and Batley. I am aware of the historical problems that those cities inherited, to which I am sympathetic. I shall take forward constructively the issues that must be taken forward, and we will willingly debate the issues more widely. I shall happily receive representations on issues that specifically appertain to Sheffield, as I have in the past.

Question put and agreed to.

Resolved,

That the draft Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994, which was laid before this House on 23rd May, be approved.

Service Women (Pregnancy)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert G. Hughes.]*

8.34 pm

Mr. John Wilkinson (Ruislip-Northwood): It is a privilege to be able to raise the subject of compensation awards to former service women dismissed from the armed forces on grounds of pregnancy.

My hon. Friend the Minister of State for the Armed Forces will not be surprised that I should return to the subject, which other hon. Members on both sides of the House and I have previously raised in debate on the Floor of the House and which has provoked gradations of press outrage, from headlines such as

> "All at sea on compensation"

in *The Daily Telegraph* of 31 January 1994 to "What a Barmy Army" in the *Daily Record* of 12 April 1994 and to a headline that looks as if it might be a report from the European election campaign—

> "Cash claims open old wounds"—

but is something rather different.

It is an ironic and heartbreaking juxtaposition of two cases. The first is of Abigail Kirby-Harris, a captain in the Royal Army Educational Corps until she was dismissed from the service on becoming pregnant in 1982. She is now suing the Ministry of Defence for more than £500,000 in compensation.

> "She is likely to get it",

says *The Sunday Telegraph* of 17 April 1994.

Michael Cooke was among the top Royal Air Force fighter pilots of his generation and a member of the aerobatic team that preceded the Red Arrows. During a rehearsal for the 1963 Paris air show, his Lightning F1 was involved in a mid-air collision and his ejector seat failed to work properly, leaving him paralysed from the neck down. He was 25. Before that, the Royal Air Force had used his photograph on its recruitment advertisements, but he did not get any compensation; nor was he able to claim any. As he observed,

> "I was paralysed and got nothing. She's getting £½m for her normal function."

The Government are disbursing taxpayers' money to meet compensation awards, many of which have run to five-figure sums, to compensate former service women for loss of earnings and career prospects upon dismissal from the armed forces by virtue of pregnancy—for not being able to fulfil the military duties for which they were trained, even though they knew when they signed up that dismissal without compensation would be the consequence of pregnancy during service.

By their own estimation, the Government's total bill for compensation for those women eligible could run to £30 million. The Library research paper, 94/27 of 11 February 1994, entitled "Compensation for Discrimination", stated:

> "The total bill could turn out to be £100 million rather than the £30 million estimates."

The Ministry of Defence will appeal against the size of these awards to the employment appeals tribunal, but the list of awards cited in the Library research document to have been granted to ex-service women between the crucial interpretation by the European Court of Justice in August 1993 in the case of Marshall *v.* Southampton and South West Hampshire Health Authority and the research document's compilation in February 1994 suggest that,

[Mr. John Wilkinson]

unless action is taken, well over £100 million of taxpayers' money will have been wasted by the time all the claims have been settled.

It is not as if the women are unfit or have received an injury in the course of their military duties that might have precluded them from continued service. They have merely proved the physiological fact that if they are old enough to bear arms they are usually of an age to bear children. They have been rewarded, in their relative youth, with compensation awards far larger than the gratuity or terminal grant that they could expect at the end of their service.

Estimates of the number of women dismissed from the armed forces between the relevant dates of 1978 and 1990 vary, but *The Independent* of 6 April 1994 said that the maximum figure would appear to be 5,700. Of those, 2,000 women have settled their claims and about 2,500 claims against the Ministry of Defence remain outstanding.

The Times reported on 2 February 1994 that about 1,000 claims had yet to be made, citing the views of the armed forces pregnancy dismissal group, which calculated a high estimate of the total cost of £200 million. That correlates with the figures that I mentioned from research paper 94/27, for the period August 1993 to February 1994. The figures for named individuals are as follows: £200,000 for Fiona Hadley; £172,000 for Nichola Cannock; £133,000 and a pension entitlement for Patricia Prior; £54,000 for Deborah Miller; £62,000 for Jacqueline Peel; £46,550 for Esther Dill; £24,000 for Angela Howell; £17,000 for Kim Castledine; and £22,000 for Jacqui Thornber.

Taken into account are not only loss of potential earnings but pension rights, and back interest on notional lost earnings. Millions of men and women would dearly love to have their anticipated pension entitlements commuted into a generous lump sum payment made in the prime of life, as has been the case with those ex-service women who were dismissed on grounds of pregnancy.

Often, when apparently inexplicable nonsense—and expensive nonsense at that—is being perpetrated by Her Majesty's Government's Departments of State, the malign and meddlesome influence of European Community institutions is at its root. So it is in that notorious abuse of compensation provisions by ex-service women. Section 85(4) of the Sex Discrimination Act 1975 rightly excludes the armed forces, presumably on the grounds that all who attest their loyalty to the Queen to serve in the defence of the realm in Her Majesty's armed forces have to be fit for whatever duty, wherever they are assigned, at the behest of the Crown. But that exclusion has been overturned at the behest of the European Community, although an industrial tribunal is hardly an appropriate body to adjudicate loss of employment compensation for those subject to military discipline.

How did that extraordinary and remarkably expensive aberration occur? In early 1990 two members of the forces nursing service who had been dismissed on pregnancy grounds initiated legal proceedings against the Ministry of Defence. The Equal Opportunities Commission argued on their behalf that the EC equal treatment directive overrides that exclusion in British law, so the MOD policy to dismiss pregnant women from Her Majesty's armed forces was in direct breach of the directive.

It is often stated—it was most recently stated from the Treasury Bench during the passage of the Bill to ratify the treaty on European Union signed at Maastricht—that the United Kingdom has retained national sovereignty in matters of defence. Yet nothing could be more fundamental to national defence than service manpower policy—for example, whether a country has conscription, or large reserves, what proportion of its armed forces are women, the terms and conditions of employment of people in the armed forces, and so on. We judge a nation's worth in part by the quality of its armed forces.

Yet when the case was due to start in the High Court on 16 December 1991, the Ministry of Defence conceded the case and agreed to pay the two women compensation of £15,000 and £10,000. At a stroke, the MOD had conceded the primacy of a European Community directive over British law on service personnel, and in the process had extended the competence of industrial employment tribunals to matters relating to military terms and conditions of service, and discipline.

Then the European Court of Justice set aside, as contrary to European law, the old upper limit of £11,000 in discrimination cases. The sky became the limit for retrospective compensation awards for ex-service women from the entry into force of the European Community directive in 1978 until August 1990, when the Ministry of Defence finally instituted a sensible policy of maternity leave for service women who became pregnant, and flexibility of employment for service women in those circumstances.

In conclusion, the whole sorry, expensive and ridiculous episode perhaps deserves no better final commentary than the measured observations of *The Daily Telegraph*'s editorial entitled, "At sea on compensation", dated 31 January 1994. *The Daily Telegraph* is not a paper prone to hyperbole and exaggeration, but the editorial finishes with the following observation:

> "Few civilians could claim anything remotely similar. Yet ministers and officials seem mesmerised by the vast cascade of wealth they have released. Only now has the Ministry of Defence decided to appeal against the largest settlements, and they are still fighting shy of contesting the legal grounds on which compensation is being granted. They should shake themselves out of their trance, before the situation gets further out of hand."

The mere fact that a manifest abuse of the public purse has been condoned for so long does not justify its perpetuation any longer.

8.46 pm

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): I congratulate my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) on securing an Adjournment debate on a subject that has aroused considerable interest and, unfortunately, an element of ill-informed speculation. I pay tribute to my hon. Friend for his chairmanship of the Back-Bench defence committee and for his lifelong commitment to the defence of the United Kingdom. I am also grateful for the opportunity to explain the Government's position on a difficult issue.

I must admit that I am surprised that no Labour or Liberal Democrat Members are present on an issue of such great importance. Not only is the debate important, but it is on a matter that those parties have raised from time to time.

I readily admit that the subject has caused great concern and feelings of unfairness among many people who feel that the size of the payments are out of all proportion, and in stark contrast to the levels of compensation paid in many cases of serious injury and the like. Indeed, my hon. Friend graphically illustrated that argument. I completely understand those feelings, but we must also consider the legal rights of the women involved.

It may be helpful, therefore, if I begin by explaining the background to the compensation payments currently being made by my Department to women who were dismissed from the armed forces when they became pregnant.

Until August 1990, it was the Department's policy to discharge service women who became pregnant. As I know hon. Members will be aware, service in the armed forces sometimes places much greater demands on individuals than civilian employment. Personnel in the armed forces are regarded as being on duty 24 hours a day, seven days a week and can be required to serve anywhere in the world at any time, often at short notice.

Because of the special conditions of service life, it was considered at the time that service women who became pregnant would be unable to meet their service commitments and that they should therefore be released. If service women wished to return to duty after the birth of a child, they could apply to re-enter. They did not, however, have a right to return.

In 1990 the policy was challenged by two former service women who, with the support of the Equal Opportunities Commission, sought judicial review of the decision to discharge them on grounds of pregnancy. They cited the EC equal treatment directive as the legal basis for their case. Up to that time, the policy of compulsorily discharging service women on pregnancy had been considered lawful by virtue of the exemption for the armed forces in section 85(4) of the Sex Discrimination Act 1975. However, new legal advice given to the Department in connection with the former service women's legal challenge was that the directive applied to the armed forces and displaced the exemption granted in the Sex Discrimination Act.

As a result of that advice, my Department immediately changed its policy so that service women who became pregnant did not have to leave the services. They were given the right to return to work after a period of unpaid leave, should they wish to do so, in line with the statutory provisions for civilian women. In fact, as part of the widening of women's career opportunities, the Ministry of Defence was already considering the introduction of maternity leave to make it easier for service women to resume their careers after having a child. The unpaid leave scheme was enhanced in December 1991 to match that for female civil servants and now offers 48 weeks leave, of which 14 weeks is on full pay.

The case brought by the two former service women was heard in the High Court in December 1991. The court ruled that the former policy of discharging service women on pregnancy was discriminatory and a breach of the equal treatment directive. The Ministry of Defence agreed an out-of-court settlement with both women and accepted liability to pay compensation to other women dismissed from the services on grounds of pregnancy between 9 August 1978—that was when the equal treatment directive came into force—and August 1990, when the policy of compulsorily discharging pregnant women was discontinued.

My Department estimates that around 5,700 women left the services on pregnancy during that period and, so far, claims for compensation have been received from nearly 4,000 of them. The offers of compensation made by my Department are based on the loss of earnings and pension benefits from the date of discharge to the day before confinement, plus a sum for injury to feelings. Since service women were not stopped from applying to re-enlist after the birth of a child, we would normally only consider paying compensation for post-confinement loss of earnings and pension benefits where a woman has applied to re-enlist, but was turned down.

Mr. Wilkinson: I intervene merely to define what my hon. Friend meant by "injury to feelings", or words to that effect. Surely pregnancy in most circumstances is a cause for rejoicing.

Mr. Hanley: I must admit to my hon. Friend that one of the matters that has been brought—obviously—to the attention of the newspapers was that people's offence at the size of the payments had been accentuated by the fact that many of them felt that there was no real loss involved to the particular service woman becoming pregnant and that perhaps the service woman now had a happy family life, with healthy children and a future ahead of her. However, the injury to such service women is that of being forbidden from carrying out their chosen careers, which was regarded in law as being discriminatory. In other words, the injury was the legal injury of being required to leave the services when it was determined that the directive applied to them. In other words, the injury to feelings is more that of being dismissed from their chosen career, rather than that of having a happy and healthy family.

As I say, it is a legal matter, but before the Ministry of Defence continued with its current policy, it began to issue offers of compensation back in September 1992 through the Advisory, Conciliation and Arbitration Service—known as ACAS—which ensured that claimants received independent advice before deciding whether to accept legally binding settlements. Any claimant who is dissatisfied, however, with the amount of compensation offered by the Department has the right in law to apply to an industrial tribunal for settlement of her claim.

In fact, many of the claimants sought postponement of their cases, pending a judgment by the European Court of Justice in the case of Miss Marshall *v.* Southampton and South West Hampshire Health Authority. That was a sex discrimination case totally unrelated to the MOD claims. However, it had a significant implication for the level of compensation payable in such cases.

I shall at this point go into some of the details of that case to explain its significance for our service women's claims.

Mr. Michael Stephen (Shoreham): Before my hon. Friend goes into the detail of the cases, will he tell the House whether, when the Labour Government in 1978 accepted the European directive, they knew or ought to have known that it would result in such massive claims against the public purse?

Mr. Hanley: I readily admit to my hon. Friend that a previous Government adhered to the directive, but I do not believe that they knew the level that the claims would reach because of a subsequent declaration—in fact, the very one to which I am now referring—in the Miss Marshall case. I shall explain to my hon. Friend exactly why.

[Mr. Hanley]

Between 29 December 1975, when the Sex Discrimination Act came into effect, and 22 November last year, there was an upper limit on the amount of compensation that an industrial tribunal could award by way of compensation for sex discrimination. That upper limit was increased from time to time and, in June last year, it was increased from £10,000 to £11,000.

The two issues before the European Court of Justice in Miss Marshall's case were whether an upper limit on compensation for sex discrimination was compatible with the requirements of the equal treatment directive and whether the directive requires that industrial tribunals should have the power to award interest—a point to which my hon. Friend the Member for Ruislip-Northwood correctly alluded—running from the date of dismissal, should it consider the award of interest appropriate.

In August 1993, the European Court of Justice announced its decision in favour of Miss Marshall. That meant that the upper limit on compensation awardable by industrial tribunals in sex discrimination cases would have to be abolished and that interest could be payable from the date of the discrimination Act. Interest is invariably awarded by industrial tribunals, which can have the effect, because of the distance between the date and the discrimination Act and the award, of doubling the size of payments.

In other words, in answer to my hon. Friend the Member for Shoreham (Mr. Stephen), during the previous Labour Government, an upper limit was adhered to for acts of discrimination. That has since been removed and that is the reason for the large amounts to which my hon. Friend the Member for Ruislip-Northwood referred.

The Government acted subsequently to amend United Kingdom legislation to bring it into line with the court's interpretation of the equal treatment directive. On 16 November, my right hon. Friend the Secretary of State for Employment laid new regulations before the House, including the method of calculating interest payable. Those were approved by the House and came into effect on 22 November. My Department duly recalculated the outstanding offers of compensation for dismissed service women in line with the new regulations and issued revised offers to claimants. As at 19 May, 2,150 claims had been settled at a cost of £15.5 million.

The high awards, which have attracted so much publicity and which were referred to tonight, were made by industrial tribunals. I need hardly tell the House that those are independent judicial bodies, and that their constitution and rules of procedure are governed by UK statute. Their decisions are, of course, legally binding and my Department is obliged to comply with them.

I acknowledge the concern expressed by my hon. Friend the Member for Ruislip-Northwood and my other hon. Friends who are here today about the substantial sums of public money which have to be found to meet the compensation awards and which come out of the defence budget. However, it is not possible at this stage to forecast the total cost to my Department of meeting the claims for compensation. We do not know how many claimants will reject the revised offers and apply to industrial tribunals for settlement of their claims. Nor can we anticipate the level of compensation that future tribunals will award. I emphasise to my hon. Friends that those awards have been made by independent judicial bodies exercising powers granted them by Parliament and applying the relevant law, as interpreted by the European Court of Justice.

It is my Department's policy on post-confinement compensation that is disputed by many claimants because they maintain that they did not know that they could apply to re-enter the services.

Mr. Toby Jessel (Twickenham): I apologise to my hon. Friend the Minister and to my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) for not having been here for the whole of the speech by my hon. Friend the Minister. Is he willing to venture an opinion on whether either the statute or the courts' interpretation ought, in the interests of justice, to be altered in future? A great many of all our constituents think that it is quite wrong that a judgment should by made by the courts on a statute that is so manifestly distorted in favour of making it easy for a woman in the armed services simply to decide to have a child and then to get whopping great compensation from her fellow taxpayers.

Mr. Hanley: As my hon. Friend may know, the Ministry changed its policy in 1990, so there is no possibility of any woman now deciding to join the armed forces and then deliberately to get pregnant so that she can not only have her child, but eat a lot of cake afterwards. The simple reason for that is that we now treat service women on exactly the same basis as we treat service men. In other words, there is no discrimination on the ground of sex. Women are deployed equally as men are in the armed forces, except in a very few instances, such as submarines and minesweepers, as my hon. Friend will know, because of accommodation problems. There is, therefore, no possibility that women can set out on such a course of action at the expense of the Ministry of Defence or, indeed, the taxpayer.

Mr. Jessel: They could before?

Mr. Hanley: I have no evidence that any woman tried to secure vast payments in the way that my hon. Friend intimates, inasmuch as the development of the law was very much after the event. I do not believe, especially with the upper limit of £11,000 on tribunals, which was increased from £10,000 only last year, that there was a vast fortune ready to be planned in the circumstances. My hon. Friend cannot, therefore, feel that financial planning was as much in the women's minds as family planning perhaps should have been.

If industrial tribunals accept claimants' arguments that they would have returned to duty and completed their commissions or engagements had they known they could do so, the result can be large awards, particularly when it is accepted by tribunals that claimants would have reached a senior rank.

Mr. Vivian Bendall (Ilford, North): Do the Government have any right of appeal against the amounts being paid?

Mr. Hanley: My hon. Friend raises an important point. I shall very soon cover it fully.

It may be accepted by tribunals that claimants might have reached a senior rank. My hon. Friend the Member for Ruislip-Northwood referred to examples of women who might have achieved a very senior rank. Senior rank can give extra money, I am afraid, to the settlement. Interest can also have a large effect. Although appeals against tribunals' decisions cannot be made simply on the amount of compensation awarded, it is possible to appeal on points of law. Such appeals are made to the employment appeals tribunal and beyond that to the Court of Appeal. I have made it quite clear on previous occasions, and will do so again, that my Department will appeal against tribunals' decisions wherever it believes that it has good grounds for doing so. Indeed, appeals have already been lodged with the employment appeals tribunal in a number of cases and are to be heard in July. We hope that the EAT will give guidance to industrial tribunals on the relevant criteria to be taken into account in assessing compensation.

The Government gave careful consideration to the court's judgment in the Marshall case and amended the United Kingdom law accordingly. We now accept that the armed forces exemption in the Sex Discrimination Act was inconsistent with the equal treatment directive that was agreed in 1976. Furthermore, we believe that the directive fully meets all the subsidiarity criteria. In passing, I refute any suggestions of compulsory or pressurised abortions —or vasectomies, for that matter—as all of our service medical staff and other staff must adhere to the law.

In conclusion, I make it perfectly clear to the House that it is wrong to suggest that the European Court of Justice ordered the United Kingdom to pay unlimited compensation or specified the levels of compensation payable in sex discrimination cases. What it did do was to rule that individuals must be adequately compensated and there could not be an upper limit on the amount of compensation payable. We have accepted that ruling. However, I believe that I have now made it clear that the levels of compensation are a matter for the independent industrial tribunals to decide on the basis of the information put to them. I recognise that this matter has caused great offence. As I have also said, where my Department believes that there are good grounds, we will appeal.

Question put and agreed to.

Adjourned accordingly at five minutes past Nine o'clock.

House of Commons

Thursday 26 May 1994

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 16th June, the Speaker shall put the Questions necessary to dispose of proceedings on the Third Reading of the Local Government (Wales) Bill [*Lords*] not later than Seven o'clock.—*[Mr. Mackay.]*

STATUTORY INSTRUMENTS

Ordered,

That Mr. Gordon Prentice be added to the Select Committee on Statutory Instruments.—*[Mr. Mackay.]*

Cyprus

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mackay.]*

9.34 am

Mr. John Marshall (Hendon, South): It is appropriate that we should be discussing the situation in Cyprus this morning because later this summer, the world will mark the 20th anniversary of the invasion of Cyprus in 1974. I say "mark" because the events of 1974 were a sad blot on the history of western Europe, when the three guarantor powers in no instance played an heroic role.

The Turkish invasion of Cyprus resulted in more than 100,000 refugees, and even today there is the tragedy of the missing persons—individuals who disappeared in 1974 and whose relatives still do not know, 20 years later, what happened to them. They are wives who do not know what happened to their husbands, parents who do not know what happened to their children, and sons and daughters who do not know what happened to their fathers and mothers. Twenty years on, they are still unable to mourn, but hope that their loved ones will reappear.

One of the most bitter denials of human rights must be that refugees are denied the right to live in their own homes —homes that had remained in their families for generations and which they are now prevented from occupying. Last summer—together with my hon. Friends the Members for Basildon (Mr. Amess), for Edmonton (Dr. Twinn) and for Chelmsford (Dr. Spink)—I viewed Famagusta from afar, together with the town's mayor in exile. We witnessed the trauma of individuals able to see their own homes, knowing they cannot not live in them —homes that might be unoccupied but from which their owners are effectively barred. We shared the trauma of the mayor of Famagusta, knowing that he could not visit his own town and live in his own home.

It is a major wickedness that individuals should be deprived of their homes. The fact that we are to mark the invasion's 20th anniversary must create a sense of urgency for every right hon. and hon. Member and for everyone who is concerned about the future of the tragic island of Cyprus.

The situation is tragic not only for Greek Cypriot refugees. Many newspapers have stated that there are 30,000 Turkish troops in northern Cyprus. One asks oneself why they are there. Do they seriously expect the United Nations to allow an outbreak of fighting in Cyprus, or do they fear the wrath of local Cypriots? Do the Turkish Cypriots of northern Cyprus realise the huge imbalance in living standards between the Greek Cypriots of the south and the Turkish Cypriots of the north? Is it that to which they object? Is that why there are 30,000 Turkish troops in northern Cyprus?

Do the Cypriots of northern Cyprus welcome the fact that there are a number of Turkish settlers there? I believe that, in Cyprus, the loyalty of its people is to Cyprus itself and that they do not welcome the presence of foreign troops or foreign settlers.

The fact that we shall mark the invasion's 20th anniversary this year must give us a sense of urgency. When I first visited Cyprus in 1977, there was hope on the island that its communities would be swiftly reunited. In 1977, one sensed that hope and noted the huge resilience of

[Mr. John Marshall]

the Cypriot economy. The hotels and people of Limassol welcomed tourists and captured their affections in the same way as Famagusta had before 1974.

Anyone visiting Cyprus will see that the sense of hope that existed in 1977 has reappeared from time to time like a perennial plant, but there is a deep feeling of tragedy that no political movement has been achieved since then.

The green line in Nicosia seems to be as permanent as the wall in Berlin once seemed. For any visitor, the division of the island is quite intolerable. It is wrong that the hotels of Varosha, once part of the thriving tourist centre of Cyprus, have been unoccupied since 1974. Those hotels suffered in the Turkish bombardment and have become homes not for tourists but for rats and mice.

The fact that there has been no movement since 1974 means that there is a real danger that the division of Cyprus could become institutionalised. One of the benefits of this debate is that it will emphasise that, to the whole world, the division of Cyprus is intolerable and unacceptable. People who live in the north of Cyprus have suffered 20 years of economic difficulty, and the gap in living standards has widened rather than narrowed. Turkish troops and settlers have been stationed there, which is anathema to all northern Cypriots.

One of the tragedies of the past two decades is that Turkish Cypriots and Greek Cypriots have grown apart. Most Greek and Turkish Cypriots have not spoken to one another during that time. They have been educated separately; they no longer play sport together, and they live separately.

In an Adjournment debate in 1991, I said that peace would be achieved in the middle east by a series of building blocks, and that one of those blocks would be Gaza. It has now been achieved. Similarly, we shall restore confidence and trust in Cyprus by a series of building blocks. That is why I welcome the United Nations-sponsored confidence-building measures.

The UN suggested that Nicosia airport should be reopened and that Varosha should be restored to its rightful Greek Cypriot owners. Those measures are clearly interconnected. No one could seriously suggest that the legitimate Government of Cyprus should reopen Nicosia airport without a compensating concession from the Turkish Cypriots.

There is no fundamental reason why the Turks should not give up Varosha. No one lives or works there. It was once the home of, and a haven for, hundreds of thousands of tourists; now it is a mausoleum, a monument to Turkish intransigence and a home to rats, mice and stray dogs. It is a symbol of international intolerance. By refusing to accept the confidence-building measures, Turkish Cypriots are demonstrating their continued intransigence to the world.

My appeal to the Turkish Cypriots' leader is to think again. I agree with Joe Clark, the UN interlocutor, that, with the political will, a settlement and agreement could be reached quickly. The absence of an agreement shows the absence of political will, especially among the Turkish Cypriots.

Mr. Roy Beggs (Antrim, East): Does the hon. Gentleman accept that the betrayal of the Turkish Cypriots is strongly felt, and that considerably more sensitivity to their needs is required than has been shown or guaranteed in the past?

Mr. Marshall: There has to be sensitivity to the needs of both sides of the Cypriot community, but the Cypriot communities of north London live in relative peace one with another. If they can work, live and talk with each other in north London, there is no reason why they should not do so in Cyprus.

When the European Union considers Cyprus's application for membership in January 1995, Europe will have to assign blame between the two parties. Joe Clark has said who he blames; we know who we blame; and Europe will know who to blame.

Cyprus has always wanted closer links with the European Union. She has had an association agreement, but she now wants full membership of the European Union. So far, the European Commission has deferred a decision until January 1995. It has said that it will take the decision in the light of political developments in Cyprus.

That is an intolerable condition. It is wrong to tell the Government of Cyprus that we will allow them to join the European Union only if there has been agreement between the two communities in Cyprus. That gives the people and the illegal Government of northern Cyprus a right of veto over whether the legitimate Government of Cyprus should become a member of the European Union, which is undemocratic.

When the decision is reviewed in January 1995, the House should send a clear message to the European Union that, whether or not there has been a political agreement in Cyprus, that application will be considered favourably. Cyprus is part of the fount of western European culture, and it would be wrong for her to be denied admission to the European Union.

There are rumours that, if Cyprus were allowed to join the European Union, northern Cyprus would react by moving closer to Turkey. That would be unacceptable to the world. We have to make it clear to the Turkish Government that such a course of action would be unacceptable to the European Union and to the United Kingdom as the guarantor power. I hope that the United States Government will also make it clear that that would be unacceptable to them.

World opinion has refused to recognise the so-called independent state of northern Cyprus. Despite having been declared 11 years ago, that so-called state has been recognised by only one country. It would be an act of unholy matrimony for that state to unite with Turkey. If Turkey craves international respectability, as I believe she does, it would be a retrograde step for her to unite with the people of northern Cyprus. No blackmail should prevent the people of Cyprus from joining the European Union.

More important, Turkey has stated frequently that she wishes to join the European Union. We must make it clear that she will not be accepted as a member of the European club as long as the Cypriot situation remains unsolved. The European Union was based on a love of democracy and respect for human rights. We must make it clear to Turkey that, if she does not follow those paths, and if she encourages the continued division of Cyprus, she will not be allowed to join the European Community.

Mr. Beggs: I accept the hon. Gentleman's view on Turkey and northern Cyprus, but does he agree that Greece must make the same commitment—that there will be no further efforts to assimilate Cyprus with Greece?

Mr. Marshall: I thought that enosis had died 35 years ago. We are now seeing a sort of Turkish enosis in reverse. I do not know what the Turkish word for it is, but there seems to be a campaign to unite northern Cyprus with Turkey, which I would find just as repugnant as I would have found enosis in the 1950s. The Government reached an agreement with the Governments of Turkey and Greece and with Archbishop Makarios which led to three guarantor powers. It is a pity that they did not remain guarantor powers instead of, in one case, becoming an invading power.

President Clerides and Mr. Denktash are products of the same political era. They are veterans of Cyprus politics; they studied law together in England and enjoyed the camaraderie of the Bar in Cyprus. They have an opportunity to become statesmen in their own lifetime by forging an agreement between the people of north and southern Cyprus.

If they fail, the world will not accept the status quo. Agreement is essential, not only for the people of Cyprus but for Turkey if it is to retain international respectability. It is essential for the people of northern Cyprus if they are ever to enjoy prosperity rather than relative poverty. Above all, it is essential if Cypriots are to enjoy the basic human rights that we in this country take for granted.

Our debate can send the message that members of all parties continue to support the people of Cyprus, but it can also send a warning to those who seek to meddle in Cyprus's affairs that the continuing division of that beautiful island is intolerable to virtually every hon. Member.

9.51 am

Mrs. Barbara Roche (Hornsey and Wood Green): I am grateful to have the opportunity to speak briefly in the debate because the Government's policy toward Cyprus is a matter of great concern to my constituents in Hornsey and Wood Green. I am privileged to represent a large Cypriot community.

The main difficulty is the Government's attitude towards Varosha. It is my contention that Ministers are lukewarm, complacent and half-hearted about their role in finding a solution to the political problem of Cyprus. Given that Britain is a guarantor power, the Government have a heavy responsibility.

During Foreign Office questions on 4 May, I suggested to the Minister of State, the hon. Member for Wells (Mr. Heathcoat-Amory) that, after Mr. Denktash's blocking of United Nations talks, it was time to take a tough stance with the illegal regime. He merely said:

> "The Security Council will be considering what future measures to take in due course."—[*Official Report*, 4 May 1994; Vol.242, c. 720.]

That is not good enough. The families of missing people, the people enclaved in the illegal northern regime, who are desperately trying to deal with their adversity, and the refugees who have lost their homes as a result of the invasion and the continuing occupation deserve much more.

Many of my constituents have lost loved ones. I remember calling at the home of a woman who showed me a brief recording of the BBC news that mentioned her brother, who was a police officer in Cyprus. He is still missing as a result of the invasion, and the recording is all that she and her mother have to remind them of the missing member of their family.

Britain, as a guarantor power, has not only a moral but a legal responsibility to the people of Cyprus. Mention has already been made of Cyprus's application to join the European Union, and this is where the Government could show their support for Cyprus. Britain has done remarkably little to help its application. President Clerides recently said that membership of the European Union would

> "guarantee effectively the security of both Greek Cypriots and Turkish Cypriots and, at the same time, ensure the prospects of progress and prosperity for all the citizens of the Cyprus republic."

In contrast to the Government's lethargy, I cite the work of my colleague Pauline Green, Member of the European Parliament for London North and leader of the European parliamentary Labour party, who has taken the lead in urging the European Parliament to support the Republic of Cyprus. It was thanks in no small part to her efforts that, after the Parliament had considered the Dury report on the European Union's relations with Turkey, its simple message to Turkey was that Turkey would get no money from the Community until its occupying forces had withdrawn from the Republic of Cyprus as part of a fair and lasting solution to the Cypriot problem.

After my last meeting with the representatives of the committee of relatives of missing Cypriots, I received a letter which said:

> "We look to the future with hope and optimism that justice may prevail one day".

I share that hope for the future, and urge Conservative Members and the Government to consider seriously their commitment and responsibility to the people of Cyprus.

9.55 am

Mr. Nigel Waterson (Eastbourne): I am grateful to my hon. Friend the Member for Hendon, South (Mr. Marshall) for providing the opportunity to speak on such an important subject. Only last month, I led a Bow Group delegation to Cyprus. The group included my hon. Friend the Member for Blackpool, South (Mr. Hawkins). We had the great good fortune to have a lengthy meeting with President Clerides. I regret to say that I found him in despondent mood. He felt that, as the deadline rapidly approached for the acceptance of the confidence-building measures—it has now passed—no progress was being made. He felt that there was a lack of political will in the north to make progress.

Mr. Warren Hawksley (Halesowen and Stourbridge): Is my hon. Friend aware that, on 25 April, President Denktash wrote to the Secretary-General pointing out that he had accepted the terms on the land and the airport, and that it was Mr. Clerides who had caused the terms to be altered? Does my hon. Friend agree that, if we were to return to the original proposals of July last year, an agreement could be forthcoming if the Greeks would agree?

Mr. Waterson: No, I do not accept any of that. The pattern of the discussions has always been that the Greek Cypriots accept proposals without reservation in order to make progress, but that progress has not been made. I was about to say that Mr. Denktash raised no fewer than 82 separate issues in relation to the proposal for Varosha.

[Mr. Waterson]

I found President Clerides in a despondent mood, and who could blame him? He felt that he had spent 40 years in politics, only to see the possibility of a solution crumble before his very eyes.

My hon. Friend the Member for Hendon, South referred to the fact that the confidence-building measures—for Varosha and the airport in Nicosia—had failed to progress. Despite the length of time that would be required to implement either of those two CBMs, we are still more or less where we were, and the deadline of 30 April laid down by the Secretary-General of the United Nations has come and gone. It is no wonder that, when I was in Cyprus last month, I had the distinct impression that support in the south for the CBMs is ebbing away rapidly.

I strongly believe that the United Nations should now recognise that the deadline has come and gone and that Turkish Cypriots will continue to be intransigent. The United Nations should now press for the total demilitarisation of the island by both sides. That would include the 35,000 or so Turkish troops in the north.

I endorse what has been said about membership of the European Union. I believe that Cyprus's application should go full steam ahead for three main reasons. First, Cyprus has a track record of democracy. Secondly, it would quite easily meet the economic criteria, perhaps in a way that some existing members would not if they were now applying. Thirdly—although not finally—it would be a dramatic way of bringing pressure to bear on the Turkish Cypriots and on Turkey itself.

Finally, as my hon. Friend said, there is nothing more depressing than to see the green line. I hope that one day, like the Berlin wall, it will be removed. Perhaps there is another analogy with Germany, too, in that West Germany became an important early member of the European Union, and East Germany came into that organisation later. I see that as the way forward for the island of Cyprus, too.

9.59 am

Dr. Robert Spink (Castle Point): I thank and congratulate my hon. Friend the Member for Hendon. South (Mr. Marshall) for securing such an important and timely debate, and I send the good wishes and thanks of the House to all the United Nations staff serving in Cyprus, and to the service personnel in Cyprus.

The United Kingdom has a special responsibility for Cyprus, not only because we are a guarantor power, but because of the excellent weather that British people find when they go there on holiday to enjoy the wine and the great hospitality they find on that beautiful island. As a permanent member of the Security Council, we are in a unique position to bring appropriate pressure to bear to find a settlement to the problem of the illegal occupation of the north of the island by Turkish troops, and increasingly by Turkish settlers.

First, I reassure the real Turkish Cypriot people that there is tremendous and genuine good will towards them among the ordinary Greek Cypriot people—good people such as Petros, Tassos and Michalis. There is great good will and a heartfelt desire to achieve a fair settlement that will bring into being a united beautiful island of Cyprus with two communities, one Greek-based and one Turkish-based, living in peace together under a single fair Government—a Cypriot Government, of course.

I shall say a little about the confidence-building measures, although I have no time now to go in detail into them or into the process by which the proposals have been followed up. The Secretary-General proposed a package of measures as a means of promoting a settlement and of building trust and co-operation between the communities.

Suffice it to say that the United States of America and the United Kingdom felt that it was a great pity that Mr. Denktash had not accepted the package, because it offered great benefits to the Turkish community. By accepting it he has nothing to lose, and all to gain for his community, for the beautiful island of Cyprus and for the wider international community.

During the April extension that Mr. Denktash secured to consider the package, intensive diplomatic efforts were made by the United States and United Kingdom Governments, and meetings were convened in Europe to secure an agreement. Meanwhile, Mr. Denktash continued to procrastinate and to ask questions. The international community sought to explain the rationale for the agreement, and the great benefits that it could bring. If progress cannot be secured on those simple measures, how can we ever expect a settlement and progress on the more controversial questions, such as compensation, repatriation and the missing persons?

I thank the Secretary-General, the Government and the Foreign Secretary for their efforts, and I urge them to continue. I urge the Secretary-General to report to the Security Council the lack of progress and the reasons for it, and to say unequivocally who erected the obstacles.

I believe that Mr. Clerides, the President of the republic, is an excellent advocate for Cyprus. He shows himself a man of great honour and dignity, as well as a political statesman with some great abilities. He is a credit to his community. I understand the difficulties of Mr. Denktash, and readily acknowledge his unique skills and diligent representation of his community. I urge those two great statesmen to get together and to do a deal for the benefit of both their peoples.

I do not despair; I have hope. This week, Mr. Denktash has convened an extraordinary meeting of his Cabinet to discuss the confidence-building measures. Even as I speak, the Turkish Cypriots may be in conference. I wish them good fortune. However, if no agreement is forthcoming in the next few days, I urge the Security Council to examine alternative means for the promotion of a solution. We owe that to the whole island of Cyprus.

I shall mention several other issues in passing. On the economic front, I believe that now is the time for the European Union to give a lead in resolving the Cyprus problem. Next January, the EU can help to force the issue, and do a great service for international stability and international law by accepting Cyprus into an enlarged Union.

The hon. Member for Hornsey and Wood Green (Mrs. Roche) mentioned the humanitarian question. I greatly regret that there is nothing to report concerning the missing persons, and I respectfully call on the Secretary-General to take action on the matter.

I have little time left, so I shall wind up by acknowledging the fact that the debate has covered only a few of the issues. Mr. Denktash and the Turkish side have shown by their actions, clearly and unequivocally, that they are not yet prepared to reach a political decision on settlement. If progress is not made, the Security Council must pursue further measures, bring real political pressure to bear on the obstructing parties and force a settlement. That would be an appropriate next move, so I respectfully urge it on the Secretary-General and the Security Council.

10.5 am

The Minister of State, Foreign and Commonwealth Office (Mr. David Heathcoat-Amory): My hon. Friend the Member for Hendon, South (Mr. Marshall) has done well to secure the debate. It is obvious from the speeches and the interventions that we have heard that there is great interest in the subject, perhaps especially because of the strong ties between this country and Cyprus, and the large number of Cypriots living in the United Kingdom, especially in London.

My hon. Friend well described the personal anguish caused to individuals and families by the political events of the past and the continuing division of the island. Great political events translate themselves into personal tragedies, and there are plenty of those emanating from the island of Cyprus.

As I have told the House in the past, we regard the present situation as unacceptable and we are exerting political ingenuity and diplomatic pressure of all sorts in working through the United Nations to bring about a reunification of the island and a peaceful solution to the tragic dispute.

The hon. Member for Hornsey and Wood Green (Mrs. Roche) urged the Government to do more, without making it entirely clear what more we should do. I take it that she rules out the use of force; it was certainly ruled out by the Labour Government in 1974.

Mrs. Roche: Will the Minister give way?

Mr. Heathcoat-Amory: I am answering the point that the hon. Lady made. It was a Labour Government who saw the invasion of the island and ruled out the use of force at that time.

It is easy to urge people to do more—"something must be done", and so on. We are working with other interested parties through the United Nations, and it is usually Labour party policy to support the UN in its diplomatic efforts.

The hon. Member for Hornsey and Wood Green and others asked specifically about the application to the European Union. I must correct the impression that I think the hon. Lady left with the House—that the British Government in some way impeded that application. That is not the case. We welcome the prospect of eventual accession to the EU by Cyprus, while recognising the practical difficulties of admitting a divided island.

The European Union requires the free movement of people and goods, and it is not clear at this point how that requirement can be reconciled with the present situation in Cyprus. That gives urgency to our diplomatic efforts to bring about reunification, so as to facilitate the entry of Cyprus into the EU.

In answer to a question asked by my hon. Friend the Member for Hendon, South and others, we do not recognise a Turkish, or Turkish Cypriot, veto over the process. That is exactly why the British Government agreed to the appointment of an EU observer, an official from the Commission, to report back to the Council of Ministers next January on how Cyprus's application for membership can be taken forward, even, if the worst happens, in the possible absence of implementation of the set of ideas and the confidence-building measures.

I do not want to anticipate a failure of the present confidence-building measures and negotiations. There is still a chance for all the parties to come together and to take this important and essentially modest step towards an overall settlement. The UN Secretary-General has been trying for the past year to secure agreement for the package of confidence-building measures.

At the start, it was President Clerides who accepted that package; he did so last May. However, Mr. Denktash did not at that time accept the principle of confidence-building measures, so my right hon. Friends the Foreign Secretary and the Prime Minister have, both jointly and separately, exerted their influence on the parties concerned and with the Turkish Government to bring about an acceptance in principle for negotiations.

In outline, the package involves opening Varosha, under UN administration, which my hon. Friend the Member for Hendon, South rightly identified as a possible centre for a renewed tourist industry. It could, indeed, be a channel from the south to the north, bringing opportunities not only for improved and increased prosperity for both communities, but, even more importantly, for inter-communal contact, which is lacking.

One of the unfortunate and tragic features of the dispute is that the generation of Cypriots who are used to living and working together are beginning to enter old age. If they die and are replaced by others without that experience, it may be even more difficult in future to achieve the solution for which we all search. The other parts of the measures are essentially about the reopening of Nicosia international airport. Of course, statesmanship, compromises and even concessions by both sides are needed, but the overall benefits to both parts of the island are beyond dispute.

We were pleased when, in January this year, Mr. Denktash accepted the package in principle. Since then, there have been further negotiations to refine the package. There have been alterations to the original proposals to take account of the objections and points raised by the leaders of both communities. We still hope that Mr. Denktash will find it possible to relinquish his objections to some of the remaining details. We share the judgment of the United Nations that the package is balanced and fair.

My right hon. Friend the Prime Minister wrote to Mrs. Ciller, the Prime Minister of Turkey, in April this year, encouraging her to use her influence with Mr. Denktash to accept the package. In a further effort to secure Turkish Cypriot agreement, the United Nations and United States representatives met Turkish and Turkish Cypriot representatives in Vienna on 11 May. They appear to have made some progress, but so far not enough to secure Mr. Denktash's immediate agreement to the proposals.

The Secretary-General is due to report in detail to the Security Council on the progress of the talks over the past three months. We expect him to make that report in the very near future. We still hope that Mr. Denktash can find it in himself and in his Government to agree to the package on offer. If he does not do that, the report by the Secretary-General will probably reflect the facts, and will apportion at least some of the blame to the Turkish Cypriots for their failure to reach agreement on the implementation of the CBM package. That would be extremely disappointing, and I hope that Mr. Denktash will use even the last few days on offer to take a bold step to reverse the trend of the past 20 years and that he will take a step towards an overall settlement.

[Mr. Heathcoat-Amory]

Throughout this matter, we have worked to bolster the efforts of the UN and of the international community generally. We have been in touch with both sides, and I have explained the pressure and the diplomatic contacts that not just the Foreign Secretary but the Prime Minister have used through the Turkish Government. We await the report with interest. It is probable that if there is no further progress and if the Secretary-General has to report that, the Security Council will consider alternative measures to ensure the effective implementation of the existing resolutions on Cyprus.

We need to remember that there is no prospect of forcing the communities to the conference table at the point of a gun. We need a negotiated, workable solution and, to that end, we will continue to work diplomatically. We believe that President Clerides has exerted political will. We look for the same from Mr. Denktash. He claims that he has that will, but he needs to demonstrate it by accepting, again, the package on offer.

We regard the confidence-building measures not as an end in themselves but as a step on the road to an overall solution to this long-standing and tragic division of an island which we know and love so well.

Merseyside

10.15 am

Mr. Robert N. Wareing (Liverpool, West Derby): I had no intention of raising the matter of Merseyside and Government expenditure on Merseyside on the Adjournment of the House until the exchange that occurred between me and the Minister for Local Government and Planning on 18 May. The origins of this debate lie in the Minister's reply to a question that I asked, and it is worth quoting the exchange in full.

I asked the Minister:

> "Does the Minister realise that millions of people, of all parties and of none, deplore the fact that local authorities have been denuded of so many of their powers and functions since the Conservative Government came to power? Local self-government has been replaced by a vast quangocracy stuffed with Tory placemen and placewomen who are accountable to no one other than the most highly centralising Government in all Europe. Does that not amount to disfranchisement of the electors at the local level?"

The Minister replied:

> "I never quite understand why the hon. Gentleman is so attached to the impenetrable bureaucracy of Whitehall, county hall and town hall. What we are concerned about is the delivery of services closer to the people. It is the people who count—not the bureaucrats or, for that matter, the councils."

I emphasise that the point that the Minister made next is the one which has brought me to my feet this morning. He said:

> "The hon. Gentleman will know that, for example, in Merseyside there is an urban development corporation, on the board of which there are three councillors, spending £156 million; a city challenge programme with provision of £131 million; a task force; and an objective 1 programme of £354 million. If he"—

meaning me—

> "takes such exception to all of those, I am sure that we can arrange to cancel the funding."—[*Official Report*, 18 May 1994; Vol. 243, c. 804.]

That part of the Minister's reply was an affront to the right of elected representatives in this House to raise matters that are of concern to people generally and to our constituents in particular. It was as if a threat was being mounted against me in case I continued to raise complaints about Government policy. That was the action of an arrogant Minister and a Government who have gone beyond their sell-by date. I am astonished that the Minister for Local Government and Planning is not present today. However, I shall of course welcome the comments of the Under-Secretary of State for the Environment, the hon. Member for Banbury (Mr. Baldry), who is here to represent the Government.

In considering the subject of expenditure on Merseyside, we have to ask ourselves what has been lost. Above all else, the principle of real partnership between central and local government has been lost. In the days before the Government came to office, there was a fair rate support grant allocated to the city of Liverpool and, indeed, to the other metropolitan districts on Merseyside. We had a district health authority on which there was local council representation. When the Minister for Local Government and Planning talks about Labour Members being concerned with bureaucrats rather than with people, I refer the Government to the bureaucrats who now sit on the hospital trusts and who are precisely the kind of placemen and placewomen to whom I referred in my question.

In those days, of course, we had a Merseyside county council. I remember being elected to that council when it was still possible for local, elected representatives to use their own initiative to introduce programmes, which had been placed before the electors in a democratic way, and when those councillors were at least allowed to try to get on with those programmes and to prove that they were achievable. As I have said, there was partnership at that time.

During those years, I was elected as the chairman of the economic development committee of Merseyside county council and I helped to promote a scheme to help small businesses known as CHASE—county help for active small enterprises. That scheme was able to generate 9,000 jobs on Merseyside—not small beer when one considers the economic background against which it was done. Also, it was cost effective in the creation of those jobs—even more cost effective than the regional aids which were then available to local authorities and to the regions. We helped to create 30 worker co-operatives. In other words, the partnership was not only between central and local government but between local government and the people in the areas that we represented.

We created a Merseyside enterprise board and a training board. We helped to promote the interests of Liverpool airport. We stretched out a hand to all parts of the communities in our area, including the churches. The Archbishop of Liverpool and the Bishop of Liverpool, who have done so much to promote the positive image of the area that I represent, were members of the Merseyside enterprise forum, along with trade unionists and representatives of the business community. We were the greatest promoters of the arts of all local authorities outside the area covered by the Greater London council. We were the originators of the maritime museum and, in a sense, of the Albert dock development, which has been much discussed and is an attraction to tourists throughout the world. In my constituency, we promoted the development of Croxteth hall and country park. As I have said, in those days we were allowed to use our initiative in creating, in that case, an enterprise, which became 20th in the league of attractions for tourists entering this country.

Since those days, the county council has gone, many of the services for which it was responsible have disappeared and the expenditure of that county council has fallen in large part to Liverpool city council. However, there has not been any considerable additional funding and the city council finds it difficult to fund the programmes to which the Minister referred, such as the urban development corporation. The Merseyside urban development corporation has been moderately successful, but in the area for which the corporation was responsible there were 1,000 fewer jobs after its first six years than there were before. Indeed, a report was discussed in the House which emanated from the National Audit Office some years ago.

The Minister also mentioned the city challenge programme. In fact, the urban programme, the urban partnership fund, estate action, the expenditure of the UDC and city challenge are to be integrated into one budget, which is referred to as the single regeneration budget. The total Government expenditure for that budget for 1995-96 is set at £1.5 billion, but the only new money—money over and above that which would have been available under the separate schemes and which is now to be covered by the single regeneration budget—is some £100 million. Liverpool will receive between £4 million and £5 million from that sum, whereas under the previous schemes, which include those mentioned by the Minister for Local Government and Planning in his reply, Liverpool would have expected £25 million. So under the single regeneration budget there is less emphasis on areas of real need such as the city of Liverpool or, indeed, Merseyside generally.

In earlier times, the rate support grant was fair to the people in my area. Under the present Government, there have been increases in the revenue support grant, but they have been due more to changes in legislation and the way in which local government is funded by the introduction of new taxes and different funding formulas than to any compassion by the Government for an area which should be regarded as a priority in our country. With the abolition of the county council, much of the expenditure for the police, the fire services, passenger transport, waste disposal and trading standards fell on the city of Liverpool and on other districts of Merseyside.

In 1991-92, the revenue support grant included a one-off grant to keep the poll tax down, while in 1992-93 the increase was to offset the council tax. In other words, those grants were to offset the policy failures of the Conservative Government. They were to cover for the poll tax, which was such an utter disaster for the people of this country and which led to the demise of the dreadful predecessor of today's Prime Minister. The only function for which Liverpool has gained control since 1979 has been in the area of care in the community and nobody in Liverpool would suggest that that has been properly funded to meet the needs of the area.

Government controls over local authorities have meant that Liverpool, like other cities, has been placed very much in a centralised straitjacket. The standard spending assessment, which was introduced by the Government, is fundamental to determining the level of central Government revenue funding available to the city council. It has a major impact on the level of council tax which is raised by the city. Under the rating system, the poll tax system and now the council tax system, there has always been the possibility of the local authority's being capped. So levels of expenditure are controlled by the Government. But if the council wishes to raise the money to improve the conditions of people in Liverpool, it can meet possible Government action at another level.

Changes in the methodology for working out the SSA for 1994-95 will have severe consequences on many of the services provided by the city of Liverpool, not least on children's social services. The Government talk about a feeling for the family and care in the community, yet in the year following a tragic happening in Liverpool which affected children, they have reduced the SSA for children's services—what Liverpool city council is allowed to spend on such services—by £11.6 million. Indeed, the total reduction in Liverpool's SSA for next year is £16.8 million. Of course, it is the children who will suffer.

The national total that the Government allow for children's services under their SSA formula is to be increased by 3.3 per cent., but Liverpool, in the year after the tragedy to which I referred, is to receive 30 per cent. less. That is despite all the often publicised social and economic difficulties that face my city.

Ethnicity is used as a factor in the formula for calculating SSA. That has meant that Birmingham, for example, will receive for children's personal social services £4,954 per child at risk. Yet because Liverpool does not have a large ethnic minority or the problems that sometimes arise in an area with large ethnic minorities, it

[Mr. Robert N. Wareing]

will receive only £807 per child at risk. Birmingham £4,954, Liverpool £807—the difference cannot be justified by ethnic background. I ask the Government to examine that when they review the SSA formula. In total, Birmingham received £5.8 million more than Liverpool for children's services. Next year, Liverpool will receive £16.1 million less than Birmingham to support children.

However, the SSA changes also have an impact elsewhere. There has been a reduction in the SSA for the provision of education for the under-fives. Liverpool has a proud record in nursery school provision despite the difficulties and obstacles that have been created by the Government. The SSA for education for the under-fives next year for Liverpool will be reduced by £400,000. The SSA for highways maintenance will also fall by £400,000. For other county services, there will be a reduction of £2.1 million. The SSA to cover land drainage will be reduced by £100,000 and that for capital financing will be reduced by £3.2 million.

Liverpool city council recently sent a deputation to the Minister. It acted in a very responsible way. Its submission, which asked for a review of Liverpool's SSA, was supported by all the parties on Liverpool city council, including the Conservative party. All the members of the delegations were absolutely astonished when, instead of reviewing the SSA upwards, the Minister rebuked the deputation and the SSA moved downwards.

One of the replies that I tend to receive from Ministers is that Liverpool has a rather shaky record. During the 1980s, I and others, including the present leader of the city council, opposed the highly centralised tactics of Militant Tendency. In my view, the power of Militant Tendency in Liverpool was the other side of the same coin to the restrictionist, highly centralised activities of the Thatcher Government. Thatcher was on one side and Militant Tendency on the other.

There can be no doubt that Liverpool city council has acted in a responsible way in recent years. That responsibility has sometimes been recognised even in the speeches of Ministers. Harry Rimmer, the leader of the city council, is a responsible leader of the people of Liverpool. Liverpool undoubtedly has not been given the priority that it deserves.

I refer to a report of the Minister's own Department entitled "Index of local conditions". It was highlighted in a report in the *Liverpool Echo* on 19 May, the day after I was greeted by the tirade from the Minister for Local Government and Planning when I raised the issue in the House. The headline of the article was:

> "City is second in the poll of poverty".

The *Liverpool Echo* correspondent Mark Davies said:

> "Liverpool is the second most deprived city in England according to a new Government poverty league. Birmingham tops the table but the figures show that Liverpool has the worst unemployment in the country and the highest number of families without a car. Only four London boroughs and Birmingham are more run down according to the Department of the Environment survey. Only Manchester has more children living in low-earning households and more people on income support. Knowsley"—

another part of the Merseyside metropolis—

> "is 12th in the league table of the country's most deprived areas."

The article is based on the Government's own statistics.

Every constituency in Liverpool has a male unemployment rate of more than 18 per cent. In my constituency of West Derby, 23.6 per cent.—almost a quarter of the male population—is unemployed. It is no use the Government saying that the unemployment is caused by the recession. It may be partly caused by the recession, but unemployment has been endemic in my constituency throughout the period of office of the Government. Indeed, on the Croxteth estate in the mid-1980s, youth unemployment was no less than 94 per cent. No wonder there has been an increase in juvenile criminal activity and a drug problem on an estate that never suffered from that before. On the Norris Green estate, where I was brought up, drugs were unknown. People were never well off, but crime, despondency, poverty and dereliction were never known in days gone by.

In Liverpool, the Riverside constituency has the highest male unemployment—indeed, the highest unemployment—on mainland Britain, at 33 per cent. That fact has come about after the "economic miracle" which the former Prime Minister told us that we had all enjoyed. How often have we heard Ministers in the House say that we are all better off now than we were 10, 20 or 30 years ago? They should ask the people of Riverside or those who live on the Norris Green and Croxteth housing estates in Liverpool.

There are people who recognise the needs of my area. The European Union has recognised them by designating Merseyside as the only area in England eligible for objective 1 status. The great fear is that the money from the European Union will be regarded by the Government as an indirect means of financing the Exchequer. Grants from the European Union have often simply been used to cover what was previously provided by central Government. We also fear that the elected representatives of Liverpool and the other districts will not be consulted about how objective 1 funds will be used, but the bureaucrats, placemen and other people in my area who are not elected will be consulted.

One can contrast the way in which Liverpool has been treated over the years with the way in which, Westminster city council, that flagship—I suppose that I should put the word "flagship" in inverted commas now—of Tory local fiefdom is treated. The rogue Westminster city council featured on the "Panorama" programme not long ago. In Westminster, for every £100 spent by the council, only £4 comes from the council's tax payers. Many of us in the House, including myself, know that that means that council tax in the city of Westminster is quite low. The rest of the £100 comes from central Government grant and other external supports such as the business rate, which is set by central Government. In Liverpool, for every £100 spent by the city council, the council taxpayers of the city pay £20—so it is £20 in Liverpool, but only £4 in Westminster, which has some of the richest people in the country living within its boundaries.

Westminster does not qualify for objective 1 status. It can even afford to sell its cemeteries cheaply at 15p a time. But it is the flagship and, despite the roguery for which it is now well known, the Conservative party's local election campaign earlier this month was started by the Chief Secretary to the Treasury, the right hon. Member for Enfield, Southgate (Mr. Portillo), in Westminster. Apparently, he thought that it was a worthy council to project the intentions of the Conservative Government towards local authorities.

In the social index produced by the Government, Liverpool has been ranked 85th in the country and Westminster fourth. Is it possible to believe that Liverpool is richer than the city of Westminster? Nobody but a fool would suggest that. According to the Government's social index, it falls below Salisbury, Bath, Hereford and Hove in terms of deprivation. That is scandalous and the Government cannot be seen to have been fair. The Tories have said that the system is fair. The Minister should search his heart and ask himself how he can argue the case for the present system.

The Minister might ask himself why the Conservative party does so badly in Liverpool. It may not be readily known that between 1845 and 1955, with the exception of one year in the 1890s when the Liberals were in charge of the city council, Liverpool was ruled by the Conservatives. Now there are but two Conservative representatives on the city council, one of whom survived by seven votes in the recent local elections. There are just two Conservative representatives out of 99. The Liberal Democrats have taken the place of the Tories. I must admit that some of them have done the job well. The Liberal Democrats who were on the council before 1979 outdid Thatcher before Thatcherism. The Conservatives are not the main opposition to the Labour party in the city of Liverpool; it is the Liberals.

When we consider the history of Liverpool and the importance in the early part of this century of Liverpool's Conservative working men's clubs, we see that the Conservative party has to ask itself why the change has come about. That change is largely due to the attitude and arrogance that I encountered in the answer to the question that I asked the other day in the House of Commons.

I say to the Minister and to the Government that we who represent Liverpool have a great pride in our city, which was the second city of the empire at the beginning of the century. Its greatness is still there to be seen, not just in things from the past—its regal architecture is testimony to its great past and some of its new structures are testimony to its future. When one looks at the work of the two universities one sees that Liverpool is a city which qualifies for the title of city of learning. One must also consider its music, arts and its profitable port. Its achievements are not the result of Government policy but of the hard work of the people of Liverpool—those achievements have been gained despite the Government, not because of them.

I pity those who stand for local councils these days. What can they do when they are elected? They are reduced to the pawns of central Government, albeit the unwilling pawns of autocratic central Government. The draconian measures that have been employed by the Government since 1979 have all but ended local self-government in this country. Only in this Chamber, of all elected chambers throughout the European Union, would it be possible for a Minister to threaten to cap local elected representatives. Only in this Chamber would it be possible for Ministers to refer to the surcharging and disqualification of councils. Locally elected people are, therefore, thwarted by the Government.

The people of Merseyside are angry at the way in which so much has been inflicted on them and at the unfairness of local councillors being surcharged—not, in the majority of cases, for lining their own pockets or gerrymandering as in the case of Westminster—and they compare the lot of elected representatives in Liverpool to that of the rogues who still rule Westminster city council.

Irrespective of party, Liverpool councillors are willing to put a hand out to Government and to welcome partnership on an equal basis, based on an acceptance that in this country plural democracy is the essence, not the natural centralisers in the Government who have ruled so long. We would be willing to work with any Government who have the priorities of ordinary people at heart and not simply the interests of their own party elite.

10.50 am

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I am frankly astonished that the hon. Member for Liverpool, West Derby (Mr. Wareing) continues to wheel out such outdated, discredited and negative arguments. He appears to have taken exception to the comments of my hon. Friend the Minister for Local Government and Planning at Question Time the other day. He knows full well that he protests too much and that my hon. Friend's comments were very much tongue in cheek. Of course, throughout our relationship with Liverpool, the development of strong partnerships has been central to everything that we have done.

Local authorities have a key role to play in the economic development of their areas. That is why the Government are working very closely with Liverpool, Sefton and Wirral councils as partners in the three city challenge initiatives —successful partnerships, embracing the private and community sectors, which I know from having visited them that the local authorities welcome, even if the hon. Member does not. The three city challenge partnerships will receive Government grant of £112.5 million over five years. That is taxpayers' money which has already levered in large amounts of European funding and private sector investment for all the people of Merseyside. Equally, the Merseyside development corporation has attracted public investment of more than £300 million and has levered in much greater private investment, to the benefit of the people of Merseyside. The results of the MDC and the three city challenges, in terms of jobs and economic development, are real and there for all to see. I suggest that the hon. Member looks at what is happening in Liverpool and on Merseyside. It is very exciting.

Since the early 1980s, we have dedicated a range of urban regeneration measures to assist Merseyside. Most of those have now come together in the single regeneration budget, which will be administered by the Government office for Merseyside, working with local partners, including the local authorities. The single regeneration budget brings together 20 previously existing regeneration programmes into a single budget with an annual value of £1.4 billion, which is a very large amount of money. I must correct the hon. Gentleman, as it does not include the money made available to the urban development corporations, such as the MDC. The purpose of the single regeneration budget is to provide a flexible mechanism for supporting regeneration initiatives that are based on local need, rather than on rigid grant rules and guidelines set out in Whitehall. Local authorities have for many years requested such an initiative and it has been generally welcomed throughout the country.

On Merseyside, the SRB includes about £110 million of committed money—money that will be spent on Merseyside this year and will complement a variety of mainstream spending, such as the training and enterprise programmes and regional selective assistance. It will support other money that is also being spent on Merseyside this year. The bidding round for the financial year is under way and local authorities, training and enterprise councils

[Mr. Tony Baldry]

and others locally are developing partnership bids with vigour and enthusiasm. That is no less true on Merseyside than anywhere else. My officials in the Government office on Merseyside have been holding meetings to discuss potential bids. The lessons of city challenge have been learnt on Merseyside, with a clear understanding that the regeneration process depends for its success on an approach that is comprehensive in its planning, targeted in its application and based on strong local partnership. I have no doubt that SRB bids of very high quality will come forward on Merseyside.

As for central Government support for Merseyside, local authorities for all councils except Liverpool had increases in standard spending assessment for 1994-95, at or above the average for metropolitan authorities. While it is true that Liverpool's SSA shows a decrease compared with comparable figures for previous years, Liverpool has been fairly treated. SSAs are calculated on principles that are applied to all authorities. The decrease for Liverpool is straightforward and is due to a combination of data changes, not least loss of population, and the inclusion of the new 1991 census data and methodology changes. However, the decrease in Liverpool's SSA has been cushioned by SSA reduction grant of almost £2 million. It is absolute rubbish for the hon. Member to suggest that Liverpool has in any sense been rebuked or penalised. He also seems to suggest that the SSA allocation is rigged in some way and that Liverpool has been penalised, to the benefit of other authorities such as Westminster. That is cheap, tawdry and unworthy of the hon. Gentleman.

In evidence to the Select Committee on the Environment, the local authority associations said:

> "The distribution of grant to 420 authorities in England on an equitable basis is a complex task and it is not surprising that the extensive analysis and research over the years has shown there are no simple answers."

We carried out a review in co-operation with local authorities this year and the Environment Select Committee subsequently produced a report. One of its first conclusions was:

> "We welcome the openness with which this year's SSA review has been carried out, and we trust the approach will continue in future years . . . We recognise that the changes to the SSA methodology this year have led to some commonsense improvements in the 1994-95 proposals."

As to any scintilla of a suggestion of the SSAs being rigged, I commend the hon. Member to read the evidence given to the Select Committee by Mr. Tony Travers, who is widely respected and recognised as an independent and objective commentator on those matters. He said:

> "A number of commentators have accused SSAs of being politically rigged . . . Yet there is no evidence of such political intervention".

Liverpool's SSA, like that of every other local authority, reflects the level of its population. That is why, at £875 per head, it is the highest of all the metropolitan districts—higher than that of Birmingham, any other council on Merseyside and any other metropolitan district.

A major plus for Merseyside in the next six years will be its designation by the European Union—with the whole-hearted backing of the Government—for objective 1 status for structural funds.As the hon. Member will know, objective 1 has been taken forward by a partnership, with officials in the Government office for Merseyside working closely and in co-operation with a broadly based local partnership, including all the local authorities—an essential and invaluable partner—together with the TECs, the private sector, the voluntary sector, colleges of further education, the universities and a number of others, all of whom want to, and can, contribute to the success of their bids. At the beginning of November—precisely on time—the partnership submitted its proposals to the Commission for using objective 1 money. We have made it absolutely clear that the money—the drawdown of more than £600 million at current prices—will be more than matched by contributions from other public sector and suitable private sector investment. In total, it will be a massive investment and have a major impact on Merseyside.

I do not believe that the bleak picture painted by the hon. Member for West Derby will be recognised by most people in Liverpool. Our policies are designed to encourage the greatest possible investment in Merseyside. Objective 1 offers unparalleled opportunities to improve the quality of life on Merseyside and I am sure that Merseyside is determined to seize those opportunities. We are determined to maximise them and I am confident that together we can ensure that Merseyside is able to move into the 21st century, take on the world and win.

Child Support Agency

11 am

Mr. David Tredinnick (Bosworth): If George Orwell were alive today and looking for a sequel to "1984", I suspect he would have based it on the Child Support Agency. Here we have an agency just one year old, set up with the best possible intentions to make mainly absent fathers responsible for their offspring, but something has clearly gone wrong. Is it because, as has been suggested, it seeks arrogantly to impose one social rule on millions of unconnected lives, thereby unleashing the law of unintended consequences, or is it something else?

In today's debate, for which I am very grateful, I hope to explore some of the issues and I hope to offer my hon. Friend the Minister some constructive criticism. However, it must be said that, unlike the governance imposed in Orwell's book "1984", the CSA was not imposed on a reluctant people; rather, it was introduced with widespread support both in the House and outside.

The Parliamentary Under-Secretary of State for Social Security (Mr. Alistair Burt) *indicated assent.*

Mr. Tredinnick: My hon. Friend the Under-Secretary of State nods in agreement.

The principle of the Bill had cross-party support. For example, on Second Reading, the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) said:

> "The concept behind the Bill—which is that parents should be responsible for their children's maintenance—is entirely unexceptional. It is only right and proper that we should support it. No father should escape his responsibilities."—[*Official Report*, 4 June 1991; Vol. 192, c. 211.]

The hon. Member for Eccles (Miss Lestor), speaking for the official Opposition and summing up for the Labour party, said:

> "Nobody has objected to the principle, which is, wherever possible, to make parents financially responsible for their children."—[*Official Report*, 4 June 1991; Vol. 192, c. 234.]

The Bill was not opposed on Second or Third Reading, although, in fairness to the Opposition, I should say that there was a reasoned amendment.

My hon. Friend the Minister has the task of making the best of the CSA within the constraints of the current law, and, I hope, in due course of bringing before the House proposals to improve it.

My right hon. Friend the Prime Minister has stated his commitment to keep the Act under review, and that has been widely welcomed, but it is my hon. Friend who has one hand superglued to the poisoned chalice while the other fends off a multitude of complaints. I intend to be constructive, and hope to offer my hon. Friend some antidotes for his cup.

Before I proceed, I should like to welcome my hon. Friend the Member for Leicestershire, North-West (Mr. Ashby), who will also be contributing to the debate.

There are four main areas of concern. The first is the general competence of the CSA office, and the way in which it is administering the current law. The second is the quite clearly demonstrated failure of the current assessment formula to take into consideration what it needs to take into consideration when making these assessments. The third is the CSA resources devoted to checking absent parents' returns. Are we satisfied that the CSA checks returns that are sent, properly to ensure that the minimum amount of fraud and disinformation is absorbed? Fourthly, are we happy with the review procedure?

Half my advice bureau cases relate to the CSA. I currently have 65 cases under review. The general competence of the CSA has been called into question before. It is with some regret that I say that the agency, despite no doubt some very fair efforts to do the right thing, is failing in some respects.

In one case, the details of an absent parent's pay and income were sent to his ex-wife. Confidential details of the absent parent's pay and finance should not be revealed in that way. It is for the agency to make the assessment.

Secondly, there is the failure of the agency to liaise properly with the courts. I have a difficult case with a constituent, Mr. Ault. The CSA failed to inform the court that it had taken over his case, and he has received bills from both the court and the CSA. He is angry and worried about that, and I am trying to sort it out. It has been a problem for him, because he has had a poor response to his reasonable request that one of those payments should be annulled.

Thirdly, there are still problems with the application forms, due to their complexity. My constituent writes:

> "I have an IQ of 147 and I struggled with the forms. God only knows how educationally disadvantaged people cope with them.".

He has a point. They are not that simple.

Fourthly, there is the failure of the CSA to acknowledge change of address of absent parents. It should not be too difficult to sort out that administrative muddle, but it has led to the imposition of the so-called interim maintenance assessment, which is rather like a bank surcharge for having an overdraft which has not been approved. People are getting huge assessments which are very frightening. The agency has to look out for that.

Fifthly, there is the failure to make special allowance for those working abroad, on sabbaticals or even on a long holiday. Interim assessments have been issued when, for example, an insurance salesman or a salesman in industry is on a long visit overseas. The sensitivity with which the agency addresses such cases should be reviewed.

Sixthly, there is unacceptable delay in assessing the forms. My constituent Mrs. Hollis had to wait from September 1993 to May 1994 for her ex-husband's form to be assessed before receiving maintenance. In the meantime, she received only income support.

The helpline response is also inadequate. I had a complaint from a constituent who said that he has tried to telephone the agency in Belfast; he is put on hold and simply cannot get through. It is costing him a fortune in long-distance calls. Is it right that so few resources have been put into the helpline, when so many assessments are going out?

I am not convinced that the agency is administering itself properly at the moment. Quite an interesting, well-publicised case involving agency employees has been in the papers recently. I should have thought that the management would have done well to keep that out of the courts and in-house. It does not reflect very well on the way in which the agency looks after its employees.

The key problem at the moment is the need for a revised assessment formula.

Mr. David Nicholson (Taunton): Hear, hear.

Mr. Tredinnick: My hon. Friend the Member for Taunton (Mr. Nicholson) agrees with me. The current formula is absolutely unacceptable.

Some 95 per cent. of the cases with which I deal concern absent fathers, and I believe that the assessments made are grossly unfair. Having seen those fathers in my advice surgeries, I am convinced that most of them want to love and care for their children by their first marriages, but they see the so-called protected income as quite unrealistic, because their essential living costs are grossly underestimated.

What are the essential living costs that the CSA does not take into consideration? They include bank loan repayments, mortgage protection and house insurance, the general debts resulting from the separation and, most important, the cost of visiting the children. I have a constituent whose children live in the Isle of Wight. He wants to visit them, but cannot afford to do so. Nor can fathers generally afford to send train tickets to the children to come to visit them. There is also the cost of telephone calls and car travel.

Many parents want to buy clothes for their children. Indeed, one of the nicest things a father or mother can do is to buy their children some clothes. That cost is not taken into account. What about gifts? A bicycle now costs more than £100; surely that should be taken into account.

There is also resentment at the fact that any reduction in maintenance liability occurs only when a child stays for two or more nights with the absent parent. Very often, children want to spend only one night, or perhaps it is possible to arrange for them to stay for only the one night.

Mr. David Nicholson: Does my hon. Friend agree that the sort of cases that come to my surgery and, I suspect, to his, tend to be the most responsible of absent parents, who have paid maintenance regularly and who very often, at the time of divorce or separation, made what is called a clean-break settlement? They made a fairly satisfactory arrangement through giving the house to the wife, for example, and taking perhaps only half the proceeds. Unfortunately, the CSA formula takes no account of such an arrangement.

Mr. Tredinnick: My hon. Friend makes very well a point that I had intended to make later. I have always opposed the overturning of clean-break settlements, because it is wrong to introduce retrospective legislation. Most, if not all, of those who come to my surgery love the children they created by their first wives. They may intently dislike their first wives, but, by and large, they love their children and want to do the best they can for them. That is an important point. However, I shall not pursue it further, other than to say that another instance of the failure of the CSA formula is that it does not take account of cash gifts. The CSA simply refuses to recognise them.

The third area of concern—in a way, it is the other side of the coin—is whether the forms returned by absent parents are correct. I have said a great deal about the problems facing absent fathers, but sometimes they wilfully falsify their returns, either out of malice towards their first wives or for some other reason.

I am aware of the case of a lady who was violently assaulted by her husband. She fled the marital home because both she and her sister had been assaulted by him and she feared for the safety of her child. Of course, she probably should not have fled the marital home. She is now in rented accommodation, and her husband is making as small a contribution as possible.

The CSA made an assessment that appears to be incorrect, because the person concerned is running a successful business, living in a luxury flat and running an expensive car. I understand that it is possible that he has put those assets in the name of his brother or some organisation in order to circumvent the CSA. Can the Minister say what steps the agency is taking to investigate false submissions?

The final area of complaint to which I wish to draw the attention of the House is the failure of the review arrangements. My perception is that the internal review mechanism, as currently constituted, is inadequate. It does not command confidence and it is too heavily centred in the agency. We need some form of independent review, and I ask my hon. Friend to consider that important point.

What are the consequences of the shortcomings within the agency for those affected? There is much resentment among fathers, which makes it hard for them to maintain good relations with their children. There is a tendency among second wives to say, "Is this marriage really worth it?" There is a feeling that many of them are being forced to pay for first wives, and that is widely resented.

Furthermore, second wives now wonder whether they can afford to have children, and so question the whole basis of their relationship. I need hardly tell the House about the stories of abortions and worse connected with that problem.

I believe that the system encourages first wives with care not to work, especially if their partners are out of work. That can be used as a weapon against the second wife and as a tool to damage that relationship. I am not suggesting that those circumstances always exist, but I am convinced that, on occasions, the agency's system is being used as a way to get at ex-husbands.

Another consequence, especially among blue-collar workers, is that they simply say, "I am not going to put up with this; I am going to give up my job." I tell them that they must not do that, and that the way forward is to talk through the problem carefully, but they just say—I shall not use the word in the Chamber, Madam Deputy Speaker, especially with you in the Chair, but it is a short word. They leave my surgery saying, "I am not going to pay; I am going to pack in my job." That has a negative impact.

Earlier, I told the Minister that I had not come here today to hit him over the head; I am here to be constructive. I tremendously respect—I mean this most sincerely—all the effort that my hon. Friend has put into making the CSA work. In fairness to him, he was handed the package; he did not create it. He may have an opportunity to change it; that is why we are here today. During the next few months, we hope to hear about some specific changes.

The solutions that my hon. Friend should consider obviously include examining the formula used by the CSA. It is perceived as grossly unfair and against natural justice. We must get it right. My hon. Friend should also examine the cost effectiveness of the agency. There has been a great deal of dispute about the benefits it brings, compared with what some suggest is a cost of £600 million. I wonder whether we are getting value for money. My hon. Friend must also think about some of the administrative problems that have occurred.

I should like my hon. Friend to consider making available local rate telephone lines between the agency's offices and the people calling them. It is possible to do that; indeed, we know that such a service exists. Why should my constituent make umpteen calls to Belfast at the higher rate, when, with just a little generosity from the Department, he could make those calls at local rates?

I think that we are going to have to eat a little humble pie over the way in which the agency has been set up. We need to look at the system in Australia. Why has Australia managed to set up a similar agency, but one that is widely respected and has not caused half the problems that we have experienced here? There are two answers.

The first is that Australia did not rush into doing everything at once and combine all the stages with, perhaps, limited resources. It is rather like soldering the lid on the kettle and turning up the gas. Secondly, their review procedures were perceived to be fair. We must ensure that the CSA is also perceived to be fair: if my hon. Friend the Minister can achieve that, he will have done us all a great favour and made many people's lives much happier.

11.19 am

Mr. David Ashby (Leicestershire, North-West): I thank my hon. Friend the Member for Bosworth (Mr. Tredinnick) and the Minister for allowing me time to speak.

I entirely agree with everything said by my hon. Friend the Member for Bosworth about this important matter. Five to 10 fathers at a time regularly visit my surgery; I expect about 150 to attend a meeting that will take place the week after next. All those fathers have been paying maintenance for a long time, and they are all very angry. They are not absent fathers. When they ask me for help, support and guidance, I can only say, "What help can I give?" As my hon. Friend said, the problem is the sheer inflexibility of the system.

My hon. Friend the Minister is trying to replace a system based on justice and the judgments of wise people following argument and discussion, with a system that is perceived as authoritarian. He will say that he is trying to bring about justice, and I accept that the Child Support Act 1991 is not really his baby; he had to take over the Bill. If we are to have justice, however, the system must not be merely authoritarian. There must be mercy and understanding, and both sides of the argument must be heard.

There cannot be justice in an authoritarian world and there cannot be justice without any agreements for review or appeal. The system is fundamentally flawed, as is the Act. We should do away with it and start again; there is no point in reviewing a system that is transparently authoritarian and has inflexibility built into it.

Hon. Members are annoyed by the fact that, when they write to the Minister about aspects of the Act that concern them—normally matters of policy—they receive no reply from him. Their letters are sent on to the agency and Mrs. Hepplewhite replies to them. Hon. Members who want change think that very wrong.

Mr. Simon Burns (Chelmsford): May I say in the Minister's defence that, when I have written to him about principles of the policy, I have received a very full response—although it is true that letters drawing attention to specific cases are referred to the agency's chief executive?

Mr. Ashby: That is not my experience, although it is probably the Department's fault. I hope that the Minister will do something to cure that fault.

In fact, I have just written to the Minister asking him some questions. Let me repeat some of them now. Why, for instance, is the child allowance of a father caring for one of two children, while the mother has the other child, classed as income for him but not as income for the mother? There is no logic in that; I hope to hear a logical reply from the Minister.

Why, if that caring father's 13-year-old does a newspaper round, is the income considered to be the father's? That seems daft to me. If the income of the working wife of an absent father is taken into consideration, why does not the same apply to the income of the caring wife's new husband or boy friend?

It is no good the Minister's saying that that is not the case. I refer him to the CSA's operational bulletin 22/93. I hope that he will make all its operational bulletins available in the Library, so that we can see how it works. It is vital that we should be able to do that.

Why does the agency accept the caring parent's word about her income? I have encountered case after case in which the caring parent who has made the application has acted fraudulently. When I refer such cases to the agency, I am told, "We do not inquire into the circumstances of the caring wife; we inquire into those of the absent father." I have had to write to the Department of Social Security pointing out that the wife has been fraudulent. The agency should be working with the DSS, examining cases of fraud on the part of applicants.

Then there are the costs of the agency. It is currently holding a course to train managers, and has asked to use a hotel in Bewdley or Kidderminster. I have information from within the agency: I understand that there has been a great deal of phoning around to find out which hotel has the best swimming pool. I remind my hon. Friend the Minister that the agency operates with income from absent parents. It charges for its services. It is the money of those parents that it is flinging around.

In my experience and that of my constituents, the agency's staff are of a low standard. If money is to be spent on training, it would best be spent on training staff rather than management, because the staff make the decisions.

I warn my hon. Friend the Minister that if the agency is not watched, it will outstrip the DSS in size, manpower and costs. I echo the words of my hon. Friend the Member for Bosworth: we are looking at "1984". The Child Support Act is a nanny Act, which I would have expected the Opposition to introduce. I fear that, in future, the agency will take over all the maintenance work currently done by the courts, enforcing its authoritarian views and replacing justice with inflexibility.

11.29 am

The Parliamentary Under-Secretary of State for Social Security (Mr. Alistair Burt): I congratulate my hon. Friend the Member for Bosworth (Mr. Tredinnick) on securing this Adjournment debate, and I thank him for the way in which he made his points. I also thank my hon. Friend the Member for Leicestershire, North-West (Mr. Ashby) for his remarks and my hon. Friends the Member for Chelmsford (Mr. Burns) and for Taunton (Mr. Nicholson) for taking a close interest in the debate. I shall do my best to answer as many questions as possible in the

[Mr. Alistair Burt]

time available to me, but I may not cover them all. However, this is familiar territory to the House and hon. Members know a great deal about the subject—as they should.

The first point made by my hon. Friend the Member for Bosworth concerned the collective responsibility of the House, in that the legislation was not rushed through. It was widely consulted on. Some 270 organisations, individuals and hon. Members expressed views on the White Paper, "Children Come First", published in October 1990, so the measure was not sprung fully formed on an unsuspecting House or public. Everyone agreed that the existing system needed changing and my hon. Friend was fair to say that the legislation was the responsibility of the whole House.

It was kind of my hon. Friend to make the remarks about me that he did. I fully accept my responsibility as a Member of Parliament in supporting the Child Support Bill and the responsibilities that I have now as the Minister in charge of the legislation and of the agency, under the direction of my right hon. Friend the Secretary of State for Social Security.

In view of the tenor of my hon. Friend's remarks and those of my hon. Friend the Member for Leicestershire, North-West, I will present the other side of the coin. Anyone reading my hon. Friends' speeches would ask what the Government are doing and why they established the agency in the first place. It is important to place on record again the reasons for the CSA's existence, and also remarks made by some of the growing number, of women in particular, who see the benefit to them of the agency's work.

The White Paper "Children Come First" described the then maintenance system and presented proposals for change. I remind the House of some of the issues that it raised. The previous system was fragmented, inconsistent, slow and ineffective. The outcome was uncertain. There was no guarantee of consistency or fairness throughout the country. The average award per child was £16. In some cases, it was clear that higher awards of maintenance were affordable but not given. There was no automatic review process. Awards could take weeks or months, and half of all awards fell into arrears at least once a year.

In 1989, some 30 per cent. of lone mothers and 3 per cent. of lone fathers received regular maintenance—that was all, and some 23 per cent. of lone parents on income support received child maintenance. Ten years previously, the figure had been 50 per cent. Clearly, the then system was wrong and needed change. My hon. Friend the Member for Leicestershire, North-West defended to some extent the previous system. When one looks back, the facts do not merit such support. The system needed changing, and changed it was.

The system established by the Child Support Act 1991 was designed to produce better maintenance support for children; clear and consistent rules so that both parties in a separation would know their responsibilities; consistency; regular yearly reviews that would not require the parties to return to court to argue; and prompt and reliable collection and enforcement—I shall return to that aspect later. There was also a determination to make sure that the taxpayer, who had unwittingly supported a growing number of settlements over the years, would get a better deal and be relieved of some responsibility, as parents should bear prime responsibility.

In view of the often hostile comments made by many people about the CSA—understandably, because people required to pay more under a new system naturally feel more strongly about it—it is important to place on record comments made by people personally involved, who view the agency differently. One lady quoted in *The Times* on 31 January stated:

> "I didn't know what to do until the CSA took on the case. They have been super—really helpful. I don't want to live on state benefits if I can avoid it, and I would rather work longer hours so I can save up for my daughter's future. Whatever happens in my case, I can't fault the CSA."

In a letter published in the *Daily Mail* on 15 February, another lady wrote:

> "Despite being obliged to bring up by children on income support, they are all healthy, have good food, shoes, outings, Christmas presents and even holidays. I haven't whinged but budgeted carefully.
>
> Now, after the intervention of the Child Support Agency, my ex-husband must make proper maintenance payments. I am delighted and so are my children. They feel they now have a place in his life equal to his other children. We are grateful to the CSA for everything it has done, as are many other people I know. It will now be possible for me to work part-time and raise our standard of living to family credit level."

A letter published in the Lancashire *Evening Post* on 14 February stated:

> "I have read many criticisms of the Child Support Agency, and feel that I must put pen to paper in defence.
>
> Since 1986 we have provided a home for our granddaughter. Court appearances and solicitors visits too numerous to mention resulted in a court order, £8.33 to be paid weekly. In fact £40 some months, then no payment.
>
> On returning to the solicitor I was told a further request had to be made to Legal Aid, and could take eight weeks or more to come through, then court applications.
>
> In the years since 1986 the father has been in lucrative employment—and at the same address (owner of a large detached house). I rang the Child Support Agency—they sent me forms and letters of guidance the following day.
>
> At least we feel somebody is taking notice. I think the solicitor could have advised us."

In recent weeks, a number of lone parent groups have linked to argue their side of the case. I pay tribute to the work of Lynda Sunderland, who established an organisation named Smile. It states that many lone parents are desperate for the Child Support Agency to work.

In saying all that, I do not suggest that there is not another side to the story, but emphasise that other views are held. I stand here to support the agency's work and to work through the issues raised by my hon. Friends and many others, because I believe in the principle of the CSA and can see practical benefits resulting from it. Clearly, it is part of the Government's aim and my own to make sure that acceptance of the agency's success is felt more widely.

Mr. Harry Barnes (Derbyshire, North-East): Now that the Minister has got all that off his chest, will he answer the specific points originally raised about the agency's competence, assessments, and so on, and not avoid them?

Mr. Burt: I am sorry that that intervention lost 30 seconds.

I turn to the issues raised by my hon. Friends. My hon. Friend the Member for Bosworth described a number of operational difficulties. The agency has not worked as well as we had wished. A number of the problems that my hon. Friend mentioned should not have occurred and the agency is determined to address them. It is certainly true that a court order and a Child Support Agency order should not be in effect at the same time. My hon. Friend is right to say that the court order should be stopped. Where there has been a breakdown in communication, it must be improved.

The forms were carefully trialled and tested—not only on people with high IQs but by a range of organisations, which presented the forms to their client groups to see how well they would work. Many forms in the benefit system are complex, but people find their way through them. We try to make sure that forms are properly written and provide the right information. If one wants to obtain as much information as possible at the first attempt, to cut costs and improve processing speed, the form must be long. The forms are constantly checked and worked through.

As to telephone help lines, attempts are being made to improve that service. We appreciate that people should not have to wait as long as they do, and we want that aspect improved. I shall take on board my hon. Friend's suggestion of calls being charged at local rates. That has not previously been considered, but I take his point. I acknowledge that the agency must improve in some areas, and I assure my hon. Friend that much work and effort is going into achieving such improvements.

Some of the agency's problems have not resulted from inefficiency. Much of its work was built on assumptions that could not be tested until it was up and running. For example, an assumption was made about how quickly people would return forms and provide information. That has taken longer than we expected and verification has proved to be more difficult. That is not a fault of the agency but one of the lessons that we learn from experience. Where the agency can improve its performance, I assure my hon. Friend that it will do so.

My hon. Friend the Member for Bosworth, supported by my hon. Friend the Member for Leicestershire North-West, raised a number of policy issues, which we have touched on before but which I am happy to comment on once again. The formula is rigid, but it cannot be any other way. The system is either discretionary or it provides some element of consistency. That is why the formula is as it is.

Requests have been made to expand the formula to take into account some of the matters that my hon. Friend raised, such as claims for travel costs, contact costs and the like. The difficulty is that the formula was designed to make the payment of maintenance to the child the priority. Indeed, the payment of maintenance was seen as a priority by the Select Committee on Social Security, which reported at the end of last year.

The danger is that, if too many costs are allowed into the formula as exempt income for assessment purposes, the payment to the child will lose its priority. I hear what my hon. Friend the Member for Bosworth said, and a number of people have said the same. The Government keep the formula and the workings of the agency under review. The principle of keeping a formula is important to us.

Mr. Donald Dewar (Glasgow, Garscadden): I appreciate the Minister's courtesy in giving way. It is well known that much work is going on in the Department, particularly on an independent review process, which might at least introduce an element of flexibility in hard cases. Are we likely to get a statement before the House rises for the summer recess?

Mr. Burt: I am not able to give the hon. Gentleman an answer. As he knows, following consideration of the Act and the agency, we made changes in February. That was an indication of our good intent: that, where we saw the need for change, it would be made. A lot of work is going into evaluating those changes, but it is not possible to say whether changes will be made. The Government should not, therefore, be held to a timetable.

My hon. Friends asked about appeals, which we have discussed before. I know that the hon. Member for Glasgow, Garscadden (Mr. Dewar) has thought deeply about the problem of appeals and I appreciate the way in which we have been able to conduct this debate. The problem remains that introducing an open appeal system would take us back to the discretionary system of the past; the formula might well be second-guessed by an erudite person. There would then be no point in having the formula and we would be back where we were.

If that is not to be the outcome, the appeal system must be narrowed and we must have gateways for it. I am still awaiting suggestions of where those gateways might be. It is relatively easy for politicians to say to an aggrieved group of people, "We shall have an appeal system and all your problems will be solved," but it is m[illegible]ifficult to say, "There will be an appeal system, but you, you and you will not be included." That is the problem and I am yet to be convinced about a means of overcoming it.

My hon. Friend the Member for Bosworth mentioned the Australian system again. Distance lends enchantment. The Australian system is not without critics in its own backyard. It is much more broadly based than ours. It is a much blunter instrument and it does not make allowance for protected income.

Someone can fall below support limits in Australia, but that is not possible here. We built housing costs into our formula; they are not included in the Australian one. The Australian appeal system is being increasingly used and my hon. Friend will be aware that a major difference between our systems is that the Australians do not consider previous settlements, whereas we do; they simply look forward. Pleas are now being made by those who were excluded from the new system to be included in it.

Other systems offer no easy answer. Lessons from around the world show that any system that has tried to improve the mechanism for child support has had its difficulties and critics. I recently read an article by an Australian journalist, who spoke of problems with the Australian child support agency in almost the same terms as people speak about the problems of ours.

Mr. Tredinnick: And fraudulent returns?

Mr. Burt: Fraudulent claims on both sides are looked at. It is an important point of principle that if an allegation is made of a fraudulent claim by the parent with care or by the absent parent, the Child Support Agency should, if the information has not been passed on, take that up with the local benefits office. There is no instruction to accept the word of one side or the other where a complaint has been actmade but not verified.

I am grateful to have had the chance to answer some of the issues raised by colleagues. I am aware of the feelings of hon. Members. I hope that I have put the record straight on why we feel it is important to continue with the agency, and why I will continue to look carefully at what colleagues say.

ROYAL ASSENT

Madam Deputy Speaker (Dame Janet Fookes): Before I call the next hon. Member, I must notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Insolvency (No. 2) Act 1994.

Intelligence Services Act 1994.

Church of Scotland (Properties and Investments) Order Confirmation Act 1994.

Greater Manchester (Light Rapid Transit System) Act 1994.

Ministry of Defence Police

11.45 am

Mr. David Rendel (Newbury): I thank you, Madam Deputy Speaker, and Madam Speaker for allowing time for a debate on the important subject of the Ministry of Defence police, particularly as you also called me last night. I am speaking for the second time in 24 hours and I appreciate that privilege.

For many years, the MOD police have done a good and effective job, often in difficult and, indeed, sometimes dangerous conditions. I have an interest in their problems as my constituency includes Aldermaston, Burghfield, Greenham Common, Welford and a number of other smaller defence establishments. Many of the staff in those establishments live in my constituency; others live in Reading, north Hampshire and south Oxfordshire. I hope that hon. Members representing those regions will support me in this debate.

When those establishments were first brought into use, homes were built for many of the staff in surrounding towns and villages. They were all rented homes and, to start with, most of the staff could afford to purchase their own homes. After a number of years, the MOD considered and introduced a policy of selling some of those homes to sitting tenants.

When my predecessor's predecessor was still the Member of Parliament for Newbury, I was contacted by a number of the wives of serving MOD policemen, who complained that their husbands were being discriminated against as they alone were not being allowed to purchase their own homes.

It was never clear why that discrimination was being practised. At the time, the MOD's excuse was that it was important that it maintained control over a supply of homes in the region close to the bases concerned so that it would always be in a position to offer new MOD police recruits some form of convenient accommodation.

The MOD police wives ran an excellent campaign. It had to be run by the wives because their husbands, as policemen, were not allowed to participate in any political activity or to take part in demonstrations, even if they were not overtly party political. Although that was before my election as the Member of Parliament for Newbury, I was pleased and proud to be asked to play a leading part in the campaign.

I mention the campaign because I wish to give some of the background to the concerns being expressed by the MOD police and to show why we feel some mistrust in the Ministry. However, we have had some good news. In March this year, suddenly and unexpectedly, the campaign was successful. An announcement was made that the MOD police houses were, after all, to be offered to their sitting tenants in all but one or two cases, those being where the houses involved were so close to the site boundaries that security considerations prevented their sale. Unfortunately, although the news was excellent, it was entirely spoilt by the more or less simultaneous leaking to the media of plans to make most, if not all, of the current MOD police force redundant. This shocking news has, as one might expect, had a shattering effect on a comparatively small and close-knit community.

The problem arises from the review set up last December into the future role, aims, objectives, structure and pay of the 5,000-strong MOD police force. The review, led by Sir John Blelloch, was supposed to produce a report by 1 June this year, but in March a confidential interim report was leaked to the media. It proposed that Defence Ministers should actively consider the introduction of a new paramilitary force to replace the MOD police's armed guarding role. Although it was presented as a savings measure, the option is a thinly disguised attempt by service chiefs to provide employment for thousands of redundant service personnel. Let us consider the proposal in greater detail.

It appears that the report proposes the creation of an armed home guard battalion to be known as the military home service engagement or MHSE. The force has the potential to become a sort of latter-day Dad's army. The official case for the MHSE is that the new battalion would be considerably cheaper to run than the existing police force and would give the armed forces greater command and control than they have over the MDP.

The financial motivation does seem to be part of the explanation for the interim report's recommendation. The inquiry has clearly been subsumed into the defence costs study programme, an initiative which is much more interested in cutting costs in the short term than in the long-term—and non-financial—considerations.

In reality, however, it is clear that the preferred option is as much the product of political expediency and internal service pressure as an attempt to obtain financial benefit. While Sir John Blelloch has been given the task of performing an objective study into the future of the MDP, he has clearly been placed under considerable pressure from a number of sources to deliver a particular verdict. First, he is under pressure from the Treasury to meet cost reductions, whatever the implications for operational efficiency. Secondly, he is under pressure from service chiefs to provide employment for redundant ex-service personnel.

Mr. Donald Anderson (Swansea, East): Is the hon. Gentleman seriously suggesting that that was in Sir John's terms of reference?

Mr. Rendel: No, I do not believe that it was in his terms of reference. He was supposed to provide an objective report, but I am afraid that, to some extent, he may have been tempted to go beyond his terms of references by outside pressures.

It is widely known that the armed forces are facing a 5.1 per cent. reduction, or some 13,000 redundancies, over the next 12 months. The Government are receiving much criticism for that, which is hardly surprising, given that, at the last general election, they made great play of the suggestion that the two Opposition parties were likely to introduce defence cuts, but that they, of course, would never do such a thing. It is clearly in the interests of service chiefs and politicians alike to secure employment for redundant service personnel and I believe that pressure has been placed on Sir John Blelloch to take such concerns into account.

In advocating the formation of the MHSE, the report is colluding in the creation of a second-class soldiery. While MDP officers have a wide range of duties, only one of which is armed guarding, MHSE officers are likely to come to resent what would be their limited single function. The low job satisfaction offered by the MHSE is likely to attract only fairly low quality applicants, which can lead only to lower levels of security. That is surely a problem which the Government should be examining seriously. Instead of being an independent and objective review, the inquiry seems to have degenerated into a service-led exercise aimed at safeguarding the military's position at the expense of the MDP.

I deal now in more detail with the economic justification for the proposal. The report suggests that because MOD police officers receive police pay, they are an expensive security option and that, in some respects, their function is inferior to that of other forces. The wide range of MDP officers' duties—policing, security, armed guarding and defence specialism—proves that that is clearly not so. MDP officers are routinely armed and possess the special expertise identified by HM inspectorate of constabulary. In fact, by securing police officers with those two additional capabilities at standard rates of police pay, the MOD is getting a very good deal. Furthermore, the limited single-role function of the MHSE would mean that other functions, such as the protection of MOD property against burglary by civilians, would in future have to be performed by other Home Department forces that possess the necessary constabulary powers.

The interim report claims that the introduction of the MHSE would lead to considerable savings for the MOD. However, the possibility of savings remains merely an assumption yet to be proven. Indeed, taking into account redundancy payments for MDP officers and the huge costs of creating a new force from scratch, with all the additional training involved and the other burdens that would be placed on Home Department forces, the creation of the MHSE is likely to be more rather than less expensive.

The introduction of the MHSE would lead to the ludicrous situation in which service men and women, who have only recently received their redundancy notices and payments from the MOD, would be re-employed by the same Department in place of others who would, in turn, be made redundant and receive redundancy pay. Given the MOD's special circumstances, especially the duty of care that it must observe for all its employees, it would be wholly undesirable—and, in practice, impossible—to separate the MDP's two roles.

The MDP combines uniquely a police role with a security function. While an MDP officer is, for example, policing the community of a married quarters estate, he or she is also acting in his or her capacity as an armed guard against potential terrorist attack. If the MHSE were given the task of guarding MOD establishments, its personnel would be unable to perform that operationally invaluable and highly cost-effective dual-purpose role. Its personnel would, first, lack the appropriate levels of training and experience and, secondly, have no jurisdiction over civilians or events outside military establishments. They would not, for example, be able to undertake "base-plate" patrols on the outside of a perimeter fence, although that, as recent events at Heathrow have shown all too clearly, is an essential element in the prevention of mortar attacks by terrorists.

Unlike the MHSE, the MDP is much more than an organisation of armed guards. As the civilian police force of the MOD, it provides a full range of police services and more, including its own criminal investigation department —CID—and fraud squad, dog patrols, marine units, mobile and foot patrols, armed policing capability, protection of classified material, traffic duties, escorts and personnel protection, and community policing.

[Mr. Rendel]

Unlike the personnel of any future MHSE, MDP officers are fully attested constables, who exercise their constabulary powers and privileges every time they patrol outside an establishment. The MDP's position as a full police service is underlined by the fact that it is frequently asked to assist neighbouring county forces—evidence that its standards of training and competence fully conform to Home Office requirements.

The MDP represents an enormous asset to the MOD and to the wider community. The broad range of experience and expertise gained by each individual officer in the course of his or her career creates a quality and value of service far beyond what could be expected from a single-function guard battalion.

Having met many of the members of the MOD police and their families I know that they are dedicated men and women, many of whom have given a lifetime of service to their country. As in any other establishment, some are better at their jobs than others. Given the difficult circumstances in which they work, it is no surprise that mistakes are sometimes made. For example, they may sometimes over-react to a perceived threat. But I believe that the vast majority of the people in my constituency, and no doubt in the rest of the country, too, would far rather suffer an occasional over-reaction by the MOD police than allow the smallest possibility of a real terrorist threat to a nuclear site.

The men and women concerned are highly trained in a specialised job. It would be difficult, if not impossible, for them to obtain elsewhere equivalent employment that would fully and properly use their skills. The Blelloch proposals would not create one extra job; they would simply give jobs to redundant ex-service men at the expense of MOD policemen—robbing Peter of his job to give it to Paul.

I remind the House what I said when I started the debate: the MOD police do a difficult and sometimes dangerous job. They deserve our respect and gratitude, and our support.

12.1 pm

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): I congratulate the hon. Member for Newbury (Mr. Rendel) on his success in securing the Adjournment debate. The Ministry of Defence police is an organisation little known outside the Department—apart from in the specialist areas to which the hon. Gentleman referred. However, it is well known and valued within the Department and I welcome the opportunity to inform the House of the important work that it does.

The MOD police force—or MDP, as it is now known—has been in existence in one form or another since Samuel Pepys was Secretary for Admiralty Affairs. In 1686 he issued an instruction to the commissioners of dockyards:

> "to enquire after and make use of all means for preventing the embezzlement of any of our stores.. to be frequent in visiting the Workmen at their departure of our yards, keeping a Strict and Severe eye upon the respective Porters of the same and to the attendance given at the gates . . . and lastly, to be as frequent as he may in his nightly rounds in and about each of the said yards for discovering any unfaithfulness or neglect that may be found in the Watch, charged with the safety of our stores".

Some three centuries later, the MDP was formed in its present role by amalgamating the Admiralty, Army and Air Force department constabularies.

The Ministry of Defence police is a disciplined body of about 5,000 civilian police officers, who are also civil servants. They possess full constabulary powers; they are trained along similar lines to their Home Department police force counterparts and serve under a chief constable who exercises command and control and who is appointed by the Secretary of State for Defence, to whom the MDP is accountable, in much the same way as the Metropolitan police force is accountable to the Home Secretary.

The Ministry of Defence police differ in several important respects from Home Department police forces. First, they are a national police force operating throughout the United Kingdom. Their organisation and structure has been developed to cope with the extended logistics of national deployment. As a condition of service, all MOD police officers may be required to carry arms and all are trained to do so. To that end, a training system unique to the MDP, but acceptable to the military and Home Department police forces, has been introduced. Standards of safety and proficiency are extremely high.

The training system represents a considerable investment by the Ministry of Defence in time, devoted to both initial and continuing training, and equipment. The force has a purpose-built firearms training centre at Wethersfield, equipped with the latest technology. The standards of instruction and facilities have been inspected by the School of Infantry and were assessed as being excellent. There is a continuing process of development as and when the requirements of armed policing change.

Most recently, armed response vehicle training has been introduced and instructors are preparing syllabi for rapid intervention training courses. Investment is also made in sponsoring MDP instructors on firearms courses run by their Home Office colleagues, which enables the force to keep abreast of the latest techniques in its field of armed policing. All are trained on the 9mm pistol and about 3,000 officers have been trained on the 5.56mm rifle. At any one time when the police are deployed, well over half are likely to be armed.

Furthermore, the MDP is the only police force in the land that has a transition to war role. This was most recently exercised during Operation Granby in the Gulf, when it was deployed to guard key points—airfields and hospitals, among other locations.

It is perhaps also worth noting that the force's flexibility in being able to undertake 12-hour shifts means that the MDP is capable of doubling its operationally deployed manpower for special events where increased policing or guarding levels are required, such as Battle of the Atlantic ceremonies, and for the forthcoming D-day commemorations.

The chief constable of the MDP also has professional oversight of the Ministry of Defence guard service—the MGS—which is deployed at establishments not requiring armed guarding or the exercise of constabulary powers, and is trained at the police training school at Wethersfield. The MGS was set up to provide an integrated professional security organisation to deal with aspects of security not requiring the carriage of arms or police powers.

The task performed by the MDP enables its personnel to act as community beat officers across the defence estate in garrisons and married quarter estates, because they are civilian police officers. The Ministry of Defence police can use their civilian constabulary powers to deal with members of the public. Service police forces do not have that power. Thus, they currently assist in exercising the MOD's duty of care in respect of the safety of service families and civilians using the defence estate. They are also able to use those powers to deal with anti-nuclear protesters on and off the defence estate, as well as others whose illegal activities cost the taxpayer so much money.

Recently, on 25 March, I answered an Adjournment debate initiated by the late Bob Cryer, and cited the fact that a detachment of MOD police was assigned to the Menwith Hill station, which was the subject of the debate. I said that the MDP officers there were responsible for security and that the costs incurred were reimbursed by the United States, which runs the station.

However, it was worth mentioning then, and it is worth mentioning again now, that the overtime occasioned by the activities of protesters is a direct cost to the United Kingdom. That cost amounted to nearly £500,000 in the previous financial year. The protesters are not clever; they are simply destructive and wasteful. They are certainly not acting in the national interest.

More important, in its armed guarding role the MDP is also active in the fight against terrorists. As with the Home Department police forces, the MDP, in addition to audit and other departmental inspections, is inspected by Her Majesty's inspector of constabularies every three years. The judgment resulting from the most recent inspection, in 1992, was that the MDP achieved a high level of professionalism and was an efficient and effective organisation. That is an accolade not lightly given.

A number of the specialist capabilities that have been developed by MDP in some areas are not to be found in other civil forces in the United Kingdom. The marine unit, which is the largest in the United Kingdom, is acknowledged to be a leader in its area. The patrol boats and the rigid inflatable boats will be deployed in the water off Portsmouth in just a few days' time during the 50th anniversary of D-day commemorations, as the MDP is responsible for the seaward-side protection of all naval bases.

Some MDP officers in the marine section hold deputations issued by Her Majesty's Customs and Excise which give them the legal powers of officers of Customs and Excise to stop, search and seize. All are trained to Department of Transport qualifications level, sponsored through the recognition of their marine training establishment by the Royal Yachting Association.

The MDP also has its own fraud squad which is well equipped, with a team of very experienced officers. Indeed, its activities vary enormously, and of £22 million of fraud investigated by the squad last year, it was able to secure the return of £17 million. I think that that achievement speaks for itself. A particular expertise of the CID is the investigation of defence contractual fraud. The vast majority of MOD employees are honest and hard working, and would not even think of getting involved in fraud or corruption. Unfortunately, there are a very small number of exceptions who do great damage to the Department's reputation. My Department is giving much attention to the use of sound management practices designed to make it far harder for such people to engage in such conduct. Any who do must expect to be found out and brought to justice; for that we are indebted to the MDP.

The operational support unit specialises in public order activities, like the equivalent units in Home Department police forces, but is also capable of rapid deployment anywhere in the United Kingdom to supplement local MDP resources. The force uses more than 400 dogs, some of them trained as arms and explosives search dogs, making that section the largest in the country for policing purposes.

The police are often deployed on special operations. I have already mentioned the 50th anniversary of D-day. They are regularly deployed during the summer solstice celebrations at Stonehenge, for example, to protect MOD land locally. They were seen at Liverpool last year during the 50th anniversary of the Battle of the Atlantic in support of the Royal Navy and at a number of shows, such as Farnborough, in defence of our aviation interests.

In addition to its specific defence unit duties, the MDP is deployed at United States air force bases, at Royal Ordnance factories and, with special authority from the Secretary of State, at the Royal Mint.

I think that hon. Members will agree that the MDP represents a force to be reckoned with and I am delighted to pay tribute to its professionalism and achievement.

I now turn to matters of the moment. Sir Patrick Sheehy presented his report to the Home Department last year, making certain recommendations on the conditions of service and pay arrangements for Home Department police. As my Department's police are linked to Home Department police for pay and conditions of service, it was right that the Department should consider what recommendations made by Sir Patrick should be applied to the Ministry of Defence police. Terms of reference were drawn up for a study to be made into the role, aims, objectives, pay and conditions of service of the Ministry of Defence police. This was announced last December and is being led by Sir John Blelloch, to whom the hon. Member for Newbury referred. His final report is now expected towards the end of June.

There has been some speculation in the media, and in the House today, about the proposals Sir John made in the context of the defence costs study, "Front Line First". That study has taken a radical look at all aspects of support to the front line and I trust that hon. Members will agree that it was wholly right not to exclude an examination of the MOD police. Happily, the coincidence of timings meant that Sir John Blelloch was able to conduct the work as part of his wider review. In essence, Sir John's remit was to see whether there might be scope for carrying out MOD police functions more cost effectively.

Mr. Donald Anderson: What were the precise terms of reference of the inquiry?

Mr. Hanley: I cannot give the hon. Gentleman the precise terms of reference. I have mentioned them before in the House. I shall send them to him.

The important point to remember is that a review has been carried out by Sir John Blelloch and, as part of the defence costs study, we asked him to bring forward certain of his recommendations. It would have been wrong to exclude such an important part of the support of our defence activities at this time. The remit was to see whether the MOD police functions could be carried out more cost effectively.

The proposals that have emerged are still under detailed consideration and hon. Members will understand that I cannot discuss them today or even comment on speculation about them. As we have made clear on many occasions, we

[Mr. Hanley]

expect to reach final conclusions on "Front Line First" as a whole in July and we shall make an announcement then on its broad outcome. I have also stressed that Sir John has much more work to carry out before we come to conclusions.

The hon. Member for Newbury has taken the opportunity presented by the debate to express his views on the possibility of creating military home service engagements under which personnel would act as guards. I can, indeed, confirm that this idea was among those that had emerged from the work on the MDP, but I stress that it was only one of a number of ideas. That concept and its implications are to be subjected to much more work. We need to look at such ideas carefully to see whether they provide a more cost-effective solution, but still deliver the service we require. I am grateful for the view that the hon. Member expressed, in rather disparaging terms, about the prospect for a military home service engagement. I do not believe that his views will be generally held. Certainly, his condemnation of the concept will not prevent us from considering it carefully. However, we will take into account the views he expressed today. As I have stresed on two or three occasions, there is much more work to be done.

I also stress that the defence costs study has nothing to do with some sort of job creation schemes for redundant service men, as the hon. Member for Newbury implied, and certainly has nothing to do with an attempt to cut corners with essential security to cut costs. Our aim is simple and, I should have thought, uncontentious: to explore whether our security requirements should continue to be met, but at a lower overall cost, so that resources are not diverted unnecessarily from the front line.

I recognise, of course, that the current period of uncertainty is inevitably worrying for MOD policemen and their families, as it is for many other groups of service men and civilians in the Ministry. I hope that these turbulent times will lead to greater stability in due course.

No one underestimates the dedication and professionalism of the members of the force. I understand that concern, but, as I said, I am afraid that they are not alone. I ask all who find themselves in this position to be patient for a little while longer until we have drawn together the threads of all the studies. We will then lose no time in telling them the results and giving them an opportunity to express their views during the normal consultation period which will follow.

As I have already said, Sir John Blelloch and his excellent team are continuing their work according to their original terms of reference which, among other things, embrace MDP terms and conditions of service. Their full report will not be available within the Department for a month or so and it would, therefore, be wrong to speculate on what it might conclude.

Mr. Rendel: Does the Minister agree that the present MOD police are highly trained to do precisely the security job that is so necessary in our defence establishments? Does he agree that any replacement by less well-trained people would inevitably lead to a reduction in security?

Mr. Hanley: The substance of what I have said so far this morning is that the MDP are very well trained. They carry out their security task very well. However, it is a responsibility of Government to look at the way in which we carry out our activities, even those that we carry out efficiently and effectively, to see whether they could be done better. I should have thought that the hon. Gentleman would welcome that. Perhaps the absence of responsibility for so long has caused him to express those emotions.

I have said that the full report will not be available within the Department for a month or so. It would, therefore, be wrong to speculate on what it might conclude. All that I ask is that we wait until the work is complete and has been considered within the Department so that we can address the substantive issues that emerge, rather than relying on rumour and speculation or, even worse perhaps, on political fears manipulated for particular party political preferences.

Hon. Members will be aware that I announced to the House on 19 October 1993 that the MDP had been identified as a suitable candidate for agency status. As part of the usual progress towards agency status, we have considered with central Departments the alternative options for the MDP. Those options were abolition, privatisation or contractorisation and, for various reasons, we have dismissed all of them. Although we are awaiting the outcome of the studies to which I referred earlier before proceeding any further, the main features of the agency would be as follows: first, the chief executive would be the chief constable; secondly, the owner, representing the Secretary of State, would be the second Permanent Under-Secretary at the Ministry of Defence; thirdly, the police committee, the statutory body providing advice to the Secretary of State, would continue; fourthly, a separate committee would be set up, acting as the "owners" board; and, fifthly, as in most defence agencies, the Secretary of State would remain accountable to Parliament for the MDP, but Members would be encouraged to deal directly with the chief constable, if they wished to raise questions.

Faced with the current situation that major studies affecting the future role and the size of the MDP are still continuing, the time is not right to launch the MDP as an agency. Depending on the results of Sir John Blelloch's review and the defence costs study, we hope to launch the MDP as an agency in April 1995. Therefore, it is certainly the case that, at this stage, I can put on record my Department's appreciation for the essential and reassuring work carried out by the MDP.

Before concluding, I shall mention a couple of points made by the hon. Member for Newbury. First, he mentioned the MDP personnel and their families living in houses in the areas of Burghfield and Aldermaston. His plea for the purchase of houses comes rich from a member of the party that has always resisted the right to buy. However, I am not aware of any case where people are not being allowed to purchase their houses. There are council houses. I do not believe that there are married quarters, but even if there are, we have paralleled the right to buy. I am not aware of any personnel who are being discriminated against in the hon. Gentleman's area, but, of course, I will look into the point that he raised.

In the middle of his speech, the hon. Gentleman could not resist a nasty little political dig at the defence costs study programme. Let us get it absolutely clear that the defence costs study programme preserves our fighting capability by reducing needless costs in support areas and, if we can find more money than we need in achieving our target, we will try to enhance our front-line forces. It was only last year that the hon. Gentleman's party, at the

Liberal Democrats conference, voted to reduce the defence budget by 50 per cent., not only in support of the armed forces, but across the board, because it panders to its unilateral disarmament, Campaign for Nuclear Disarmament, pacifist wing. Of course, the Liberal Democrats were rumbled and the Government managed to exploit the fact that they were going to cut the whole of the defence budget by 50 per cent. by the year 2000.

The hon. Gentleman's leader said at the time that they had announced the reduction of 50 per cent. because it was post cold war, the Berlin wall had come down and that it was a safer world. He announced that at exactly the same time as Saddam Hussein was invading Kuwait. Indeed, the hon. Gentleman may remember that we exploited that proposed 50 per cent. cut in the armed forces so much that the hon. Gentleman's leader did one of his classic U-turns. Of course, the party was rumbled.

What do we have this year from the Liberal Democratic party? We are now told by the party leader that, of course, we are in an uncertain world and we cannot cut our armed forces. That is exactly what the Government have stated and what my right hon. and learned Friend the Secretary of State has emphasised. In the "Front Line First" programme, we are preserving our front-line fighting capability because it is a most uncertain world. What the hon. Gentleman's party has come up with for the European elections is a wonderful European idea—a European army. The party leader has suggested it because he claims that we all want to work towards the integration of Europe and that a European army should mean that each nation in the European Union should specialise in one particular, separate military skill. Therefore, a European army could be deployed as a seamless robe. Then somebody said to the hon. Gentleman's leader that there is such a thing as national sovereignty. The leader said, "Oh, yes", of course there was national sovereignty and, therefore, each nation will have a veto on the deployment of its part of European army.

Let us say that the Germans were specialising in armour. They could decide not to deploy their armour if the European army needed to deploy troops to a particular incident. If we specialised in amphibious capability, we would have the sovereign right to say that the European army may deploy, but not with our amphibious capability. In other words, the Liberal Democratic party is trying to have it both ways and has it in none. It would create a capability gap that would threaten all of us in Europe. It is typical double speak and double dutch. Therefore, the hon. Gentleman, in criticising us for trying to discover needless expense in the support side, is laying himself completely open to attacks on his party's defence policy. Indeed, I would not have referred to his party's defence policy had he not tried to make political capital today.

Mr. Rendel: Will the Minister confirm that it has been my party's policy for a long time to cut the unnecessary extent of our nuclear forces after the cold war, as opposed to the policy of his party, which is concerned with cutting our immediate service personnel—the front-line troops in the area?

Mr. Hanley: The hon. Gentleman talks about our nuclear capability. That reminds me that, when the right hon. Member for Yeovil (Mr. Ashdown) stood on a CND platform, espousing the abolition of our independent nuclear deterrent, he was supported by a very left-wing party. Now it seems that that Liberal Democratic policy has disappeared. Again, that is perhaps because the party realises how ridiculous its stance is and how irresponsible it is when talking of the defence of the western world.

I do not need to discuss with the hon. Gentleman the fact that his party believes that we should cut out long-term security by preserving short-term jobs. May I stress to the hon. Gentleman, because, clearly, he has not heard what I have said, that we are not cutting front-line capability. Indeed, it was only in November that we added 3,000 more to the planned strength of our Army's manpower. We do not intend to cut a single front-line fighting capability unit, be it in the Army, the Navy or the Air Force. The defence costs study is looking at support and therefore to re-directing money, which is needlessly being spent, towards our front-line capability. How different that is from the policy of the hon. Gentleman and his party.

It is quite wrong to portray the work that Sir John has carried out on behalf of the defence costs study as a short-term, cost-cutting exercise. It is anything but that. It is looking at the Ministry of Defence police and at the way in which we guard our nation's security. I believe that that is a responsible task. We should not preserve everything that happens to exist in the United Kingdom merely because the hon. Gentleman can see political advantage in the status quo. Change—even change for the better—is difficult, but the Liberal Democratic party would never have change because it wants to preserve the status quo for its political advantage.

I conclude by putting on record my Department's appreciation of the essential and reassuring work carried out by the MDP. It is a role which will continue to be necessary in the future. I have every intention of ensuring that it continues to be carried out in the most effective way possible. I pay tribute to those in the MDP and ask them to trust what we are doing, which is a fully comprehensive review of the status of the Ministry of Defence police. The comments of the hon. Member for Newbury and the fears that he has spread should be seen for what they are—nothing more than cheap political advantage.

Superstores

12.28 pm

Mr. Ian Taylor (Esher): I am grateful for the opportunity of this Adjournment debate. I am particularly pleased that the Minister who will reply knows the delights and the character of my constituency, having visited it on several occasions. I know that he will appreciate the concern that I and my constituents feel about the problem of planning and superstores.

The importance of the constituency of Esher is that, although it is adjacent to London, it comprises a series of communities. Those communities are important to the people who live in them, and have identifiable characters. The community spirit in the constituency of Esher means that many people are involved in voluntary work and many people help each other. That gives a character of life across that community.

Many social groups, leisure facilities, artistic and cultural activities are conducted by amateurs in the villages and communities that comprise the constituency. That is extremely important. Underlying that, in each of the communities, is access to local shops, which provide lifeblood to the people who live in them.

Two particular problems have emerged following applications from superstores to build on the edge of communities within my constituency, at Thames Ditton and Long Ditton. I know that the Minister is familiar with the problem. I appreciate that, given that we are waiting for the inspectors' reports, I am unlikely now to receive a clear and encouraging response as to the outcome. Nevertheless, this is a timely opportunity for me to raise in the House the fears that have been expressed locally.

More than 3,500 letters have been sent to me, and they have been sent on to the Minister. I know that many others locally feel strongly about the matter but have not written. There is no doubt that it is an issue of considerable local importance, and one about which people are rightly agitated.

The importance of the issue to the communities and village shops within them is displayed by what one constituent helpfully summarised for me about Thames Ditton—one of the two communities under threat. Shops in Thames Ditton include a butcher, a baker, a stationer, a children's clothes shop, a greengrocer, a provisions merchant, a video shop, a needlework shop, a wine merchant, a florist, a dress shop, a hairdresser, a newsagent, a travel agent, antique shops, a betting shop and a gift shop. Sadly, one or two premises are empty. I hope that, as the economy continues to recover, they will be filled. However, it is unlikely that those empty shops will be filled or that the existing shops that I have listed will remain open if superstores are built on the edge of the community. Such superstores will suck life out of that community, and will certainly damage the local shops.

I shall give the House some of the background to the applications. Sainsbury has applied to build a 76,000 sq ft superstore at Long Ditton, with 651 parking spaces. That is a variation on an earlier scheme, which proposed slightly more parking spaces. It was found that there were problems with certain listed grade 2 provisions on the main buildings of the waterworks and some of the surrounding railings.

The Department of the Environment declined to hold a joint inquiry on that application and the application from Tesco to build at nearby Thames Ditton. The two schemes are roughly a mile apart. Tesco applied to build a 62,000 sq ft superstore plus 550 parking spaces. So the net effect on two adjoining communities would be an additional potential for 76,000 sq ft plus 62,000 sq ft of shopping, and 651 plus 550 extra parking spaces. Clearly, neither the stores nor the parking spaces were designed to meet the needs of those two relatively small local communities. The appeals have been made and public inquiries held separately, and we are now awaiting the inspectors' reports.

Of particular concern to us locally was the statement by Tesco and Sainsbury that they would both build superstores if they were permitted. It is not merely a question of one giving way to the other, depending on the success of the appeals: the probability is that, if the planning guidance were not clear and the inspector approved both, both superstores would go ahead.

I contend that, in the long term, both superstores would not be viable. In those circumstances, one might close, which would not be a disaster for Sainsbury or Tesco, bearing in mind their national coverage, but the disaster would already have occurred for the local community, which would find it difficult to recover from the intrusion on its style and way of life.

One problem is that, when superstores calculate the potential retail market, they often do so on the basis of the nearest significant town centre rather than on local amenities, particularly village shops. That means that the damage to village shops from superstores is often underestimated when planning permission is requested. It was explained by one Long Ditton shopkeeper in the Sainsbury inquiry that only a modest diversion of trade from a corner shop can mean the difference between survival and closure.

The local borough council of Elmbridge—I have the honour to represent part of the borough of Elmbridge—objected to both applications on the grounds of trade diversion from existing centres and local shops, loss of housing land, which is particular to the Sainsbury development, adverse environmental impact, particularly evening and weekend traffic, and the impact, in the case of Sainsbury, on listed buildings.

Additionally, in relation to the Tesco scheme, there was concern about the effect on a conservation area. The objections in relation to the Sainsbury appeal in Long Ditton were joined by objections from Kingston borough council, which is the adjoining borough council within Greater London. I wish to place on record the valuable help that my hon. Friend the Member for Surbiton (Mr. Tracey) has given me in objecting to the planning applications.

There are some interesting background facts that I shall quickly explain to show that the local communities' need for the stores is simply not proven.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): I am grateful to my hon. Friend for allowing me to intervene in his debate. I wish to assure him that the phenomenon that he has described in his constituency is more widespread than he might imagine. I have precisely the same problem in my constituency in the town of Tewkesbury, where an application has been made for a large retail warehouse that will bring in 1.5 million visitors from as far afield as Bristol and Birmingham.

There is considerable fear that the development will have an adverse impact not only on Tewkesbury and surrounding village shops, but other towns in the district. My right hon. Friend the Secretary of State has called in the application and the inspector will hear it in August.

My hon. Friend may also be aware that the Select Committee on the Environment is currently conducting an inquiry into the impact on town centres of out-of-town shopping centres. He may also know that my right hon. Friend the Secretary of State for the Environment has issued two new planning guidance notes—the first, PPG6, under which the inspector will be specifically required to take into account the impact on town centres, and the other, PPG13, under which car emissions must be taken into account. Those will be relevant factors when the inspector makes his decision on the schemes in my hon. Friend's constituency.

Mr. Taylor: I am grateful to my hon. Friend. His evidence shows that it is not merely my problem but one that is widespread. Before I conclude, I shall urge the Minister to deal with those planning guidance notes, so that we can have further clarity.

In my constituency, the important fact is the existence, not far away, of five main town centres: Cobham, Esher, Molesey, Walton on Thames and Weybridge, which contain approximately 400,000 sq ft of retail sales floor space. Access to shops is available, especially in Walton, where nearly half of the floor space is located. The borough of Elmbridge also has a number of smaller centres, including Claygate, Hersham, Hinchley Wood, Oxshott and Thames Ditton, which meet the everyday requirements of local residents.

Within easy reach of the borough are several major regional centres—Kingston upon Thames, at approximately three miles, Guildford, at approximately 13, Epsom at about five, and Staines and Woking, which are both about seven miles away. Those towns have specialist shops and very large stores. In addition, there is a superstore on the A3 near Cobham and a new superstore centre—Marks and Spencer and Tesco—at the old Brooklands racing circuit, which is in easy driving distance.

Those facts are very important. I cannot understand why it is regarded as reasonable to plonk potentially enormous shopping centres in Thames Ditton and Long Ditton, when anyone who wishes to go shopping by car has easy access to other centres of that sort.

Elmbridge borough council's plans are very clear in that respect, and I endorse them. The council has attempted to set out clearly in its local plan its ambitions for local shopping and I find those reasonable. The plans would certainly preclude the creation of two new shopping areas in Thames Ditton and Long Ditton.

I shall list the aims. They are to reinforce the multi-purpose role of the borough's main centres; to maintain the balance in the shopping hierarchy in the borough and resist the development of major out-of-town shopping centres; to maintain and enhance the quality of existing shopping facilities and improve the physical quality and environment in town centres; to maintain convenient access to and within town centres and ensure adequate provision of parking facilities; to encourage the retention of local shops; and to protect the green belt and other environmentally sensitive areas from shopping developments.

Those aims reflect my constituents' interests, and are the policies that we want to be pursued. The planning applications intrude on the wishes of the local community, which is why they are resented.

In the House a week or two ago, I referred to Tesco and Sainsbury as "villains". That raised an eyebrow or two, and I am glad. Sometimes it is better to attract attention by using an emotive word than by quiet argument. I do not retract that word. In the context of what they are attempting to do, against the wishes of the local community, they are villains, in the old-fashioned sense of the word.

Also, despite what was said to the planning appeal and the public inquiry, they are not totally clear what these plans would do to their other stores in the area. There is a Tesco store in Molesey. What would be the intentions about the future of that store, which happily serves local residents because it is in the main shopping area, if another store is built in Thames Ditton? That is another aspect that causes me concern as a constituency Member.

Although the resident population in Elmbridge may not grow significantly in the next 10 years, there will be extra consumer expenditure. I hope that it will enable smaller shops to come back where there are now empty premises in our towns and villages. If the superstores go ahead, it will stop this benefit to the local community.

So many reasons have been put forward by my constituents in all the letters I have received that I have not time to talk about them in complete detail; nevertheless, the issues I have raised so far demonstrate just why there is such intense opposition.

One point I shall add is that it is not widely realised that, under the deregulation proposals now issued by the Government, there is the prospect of unfettered opening of stores for 24 hours a day, six days a week. In those circumstances, although Tesco and Sainsbury have said that they have no current intention of doing so, the damage to local communities could be even greater than is currently realised.

I am not against superstores; I am aware that the patterns of life and shopping have changed. I am concerned about whether the Government will clarify exactly where superstores are welcome to be built. They should be only in town centres, not in out-of-town or edge-of-community developments, because in both those cases they will suck the life out of that community.

My hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) referred to policy planning guidance note 6, which I have read with great interest. It raises some important points for the Government to clarify. Paragraph 33 states:

> "when drafting plan policies or considering planning applications for developments outside town centres, local planning authorities should take account of the possible impact (including the cumulative impact with other recent or proposed retail developments) on the vitality and viability of any nearby town centre as a whole, as well as of other factors such as the possible impact on the rural community (including the role of village shops)".

Hear, hear: we endorse that. If that was that, there would be no doubt in my mind that the solution was in hand and the planning appeals would be thrown out.

However, later in the same guidance note, there is a slightly more favourable mention of "edge-of-centre sites". I would ask the Minister to clarify what is meant by edge-of-centre sites. PPG6 refers to the fact that they should be accessible by foot from the existing shops. In neither case that we are discussing would I consider that to

[Mr. Taylor]

be the case. It is more likely that people will go to either of the two superstores we are talking about by car and leave by car, not using the other shops in those communities.

There is considerable concern about what the planning guidance currently is. If my hon. Friend the Minister wants the reference, it is in paragraph 35:

> "the best solution will be the edge-of-centre foodstore that provides parking facilities".

In these circumstances, "edge-of-centre" is not a valid description; they are sufficiently far away to mean that the local shopping centres will be denuded of casual custom generated by superstores within proper town centres.

I referred obliquely to traffic pollution. I note that PPG 6 talks about the unacceptable increase in carbon dioxide and other polluting emissions. I am concerned about that. There is no doubt that the planned superstores will suck in traffic from elsewhere. They are not serving the local community; they will encourage people to come into the area. The movement of traffic will not be in the interests of people living in Thames Ditton and Long Ditton.

I am very concerned that the excellent statements by the Secretary of State, which appear to resist out-of-town superstores and certainly reaffirm the importance of protecting the green belt, could be assumed by inspectors to give a green light to developments which are not out of town on open fields, but on the edge of communities—almost in the heart of those communities, but sufficiently detached to damage them. That is not acceptable.

We, as Members of Parliament, do not have authority over, and cannot control, the planning process. We allow local authorities to make decisions in accordance with local plans. There is a system of appeal which does not come to the House for decision; the appeal goes to the Secretary of State. A Back Bencher can raise the issue on behalf of his constituents and hope that his complaints are listened to.

A week or two ago, our right hon. Friend the Secretary of State for the Environment launched a campaign called the urban quality initiative. Today, I am talking about a suburban quality initiative to try to protect those places outside urban areas, where village and community spirit is high and where the unwelcome intrusion of such a massive area of shopping space could do untold damage to the fabric of local society. I rely upon my hon. Friend the Minister to support me in my campaign.

12.50 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I readily commend my hon. Friend the Member for Esher (Mr. Taylor) on the very clear way that he has put forward the concerns of his constituents. As he and my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) have made clear, our new policy on town centres and retail developments was set out in policy planning guidance note 6 last July. It has received considerable publicity and, generally, a wide welcome. Interestingly, this is the first time that it has been debated in the House, so I welcome the opportunity to comment on what we are seeking to achieve.

My hon. Friend has made clear his specific concerns about two particular applications. He will appreciate that I am unable to comment on those cases while they are still in progress, since that could be seen to prejudice the Secretary of State's quasi-judicial role. However, it was implicit in what my hon. Friend said that the two applications were turned down by the local planning authority, doubtless for the reasons he gave. The applicants then appealed to the Secretary of State against those decisions, as they are entitled to do in law. An inspector was appointed, and an inquiry held.

Usually—in the vast majority of cases—the inspector, acting on behalf of the Secretary of State, determines an appeal. However, because of the importance that we attach to these cases, the Secretary of State has recovered the appeals for his own decision. We have now received the inspector's report on the Tesco appeal, and await the report on the Sainsbury appeal. I anticipate that the decisions on both appeals will be taken at the same time. As I have said, I cannot comment on the merits of the cases, as that would almost certainly be held to have prejudiced the Secretary of State's quasi-judicial role.

What I shall certainly do is to explain, first, our policy on superstores, as set out in recent planning guidance; secondly, our latest advice for helping town centres remain vital and viable and meet the challenges of competition; and thirdly, the implications of our latest policy guidance on transport as set out in PPG13, to which my hon. Friend referred. It may also be helpful if I refer to our criteria for call-in.

Our planning guidance PPG6 provides a clear statement of the objectives of Government policy, which are:

> "to sustain and enhance the vitality and viability of town centres which serve the whole community and which provide a focus for retail development, where proximity of competing businesses facilitates competition from which consumers can benefit".

My hon. Friend gave a clear description of an existing town centre where a number of businesses and shops exist, which, in a sense, compete with each other.

The statement of objectives continues:

> "to ensure the availability of a wide range of shopping opportunities to which people have easy access (from the largest superstore to the smallest village shop), and the maintenance of an efficient and innovative retail sector."

The policy emphasises our commitment to competition, access and choice in retailing, which will benefit all consumers.

Town centres have grown over the centuries as places where people come together to buy and sell, usually close to where people live or where major routes converge. Historically, markets and other activities developed alongside each other, taking advantage of the congregation of people and the opportunities for attracting visitors. The marketplace and retail functions have therefore been at the heart of the evolution of today's towns and cities, which provide a range of services and functions for those who live or work either there or in the surrounding areas.

I see the town centre as the preferred location for much of this new shopping development, especially food shopping. We want to encourage financial investment in our town centres—not just for shopping, but for a wide range of activities and services including offices, entertainment, hotels, restaurants, cafes, museums and housing. All those will introduce diversity and variety, which add to the vitality and viability of our town centres.

Above all, as our planning guidance makes clear, the town centre is and should remain the anchor of our retailing system. That is especially true of small towns—the kind mentioned by my hon. Friend the Member for Esher.

For that reason—our desire to maintain the vitality and viability of existing town centres—we need to take a more cautious approach to out-of-town shopping, to look more closely at the impact of out-of-town developments, and to consider the implications of their location for accessibility and overall travel patterns. We want shops to be accessible, as far as possible, to everyone, not just to those with cars.

My hon. Friend rightly expressed concern about village shops. Our planning guidance states:

> "Village shops play a vital role in rural areas and the loss of the traditional village shop can have a particularly severe impact on the community it serves."

Other planning guidance advises local planning authorities on the need to maintain a healthy rural economy.

One of our main concerns is that out-of-town shopping may have an adverse impact on the vitality and viability of existing town centres. It may not only divert trade and activity from the town centre, but affect the private investment that our towns will need to ensure their continuing vitality and viability.

It would be unwise to allow further developments that seriously damage town centres, and then simply have to spend public money on trying to remedy the situation. If retail developments are located in town centres, they will contribute to the economic strength of those centres rather than undermining it. We have made it clear that we want to sustain our town centres, and that developments that would undermine the vitality and viability of town centres should be refused.

Assessing the likely impact of a development is primarily a matter for local planning authorities, but we have provided clear planning guidance. Only a couple of weeks ago, we published a report entitled "Vital and Viable Town Centres: Meeting the Challenge". It provides local authorities with an action list for their town centres, promoting strategies for town-centre management and suggesting the type of measure most likely to ensure that their centres remain successful.

It is not the function of the planning system to frustrate competition. We are seeking to encourage investment in town centres—to persuade retailers to compete in the same market place, rather than locating all over the place. We want competition from which everyone can benefit.

If suitable town centres cannot be found—in a number of instances, it may not be possible to find a suitable site in a town centre—edge-of-centre sites will be the best location for food supermarkets. That will allow those who arrive by car to walk into the centre to conduct other business in town: one trip will serve several purposes. Such stores will also be more accessible to those without cars, who can walk to the store while visiting the town centre. By "edge-of-town", we do not mean "out-of-town", but, as I have said, on occasion it will be impossible to find a suitable site. We want wherever possible a choice of means of transport, with access for everyone. In the case of out-of-town development, more than 90 per cent. of customers arrive by car. We want retailers to choose locations that serve not only those who arrive by car but those who travel by bus, walk or ride a bicycle. Users should have a real choice. If we believe that planning guidance is not being complied with, we shall have no hesitation in calling in decisions for my right hon. Friend the Secretary of State to determine. He did that in the Tewkesbury case to which my hon. Friend referred.

Our concern is for the future of our town centres—particularly those that would be adversely affected by out-of-town superstores. Town centres need reinforcing, not undermining. Our planning guidance and policy does just that. We want to reinforce the vitality and viability of existing town centres, and in that I am sure that we will have wide public support and the support of my hon. Friend's constituents.

Northern Ireland (Opsahl Report)

1 pm

Mr. Harry Barnes (Derbyshire, North-East): The Opsahl report on Northern Ireland, published in June 1993, was based on the views of many ordinary citizens of Northern Ireland rather than on those of politicians. The range of views expressed to the commission was as wide as those of politicians and perhaps more complicated because they reflected many different nuances and attitudes, as might be expected when speaking to the general public.

A charitable body established with the backing of charitable trusts and foundations, Initiative 92's Citizens Inquiry, obtained 3,000 responses in the form of 545 written and taped submissions. Many of them were examined in meetings and by seven experts from both parts of Ireland, from Britain and from the United States of America under the chairmanship of the leading Norwegian human rights lawyer, Professor Torkel Opsahl. Unfortunately, he died shortly after the report's publication, but I was fortunate enough to meet him for its launch in Britain at a meeting that I hosted in the House on 10 June 1993.

The report initially received a great deal of attention in the island of Ireland. It was fully discussed in the Irish Parliament and was outlined and discussed at a meeting in Cork of the British-Irish parliamentary body, which took the report seriously enough to propose that it would be taken into consideration by future committees concerned with education, social provision, pensions and other matters, and that attempts should be made to adopt its proposals. It was hastily rejected, however, by Northern Ireland politicians, partly because it suggested that a number of them should attend political educational institutions and downgraded them by giving priority to the views of ordinary citizens.

The Opsahl report was also discussed by the European Parliament, but little attention has been paid to it in Britain. In the other place, a debate was initiated on 3 March 1994 by Lord Holme of Cheltenham, but the only references to it in this House were in a speech made by the Secretary of State for Northern Ireland on 22 October 1993, when he devoted three minutes to the report, and in my three early-day motions, in written questions, in a supplementary question and in an oral question, and on other occasions when I have made passing reference to the report. The House has not given the report the consideration that is due to it. We can belatedly make amends for that today.

The report has not been superseded by dramatic events in Northern Ireland in the past year, such as the revelation of the Hume-Adams talks and the publication of the joint declaration, which is of tremendous importance but which differs from the nature of the report. The joint declaration seeks relatively speedy means of reaching peace and reconciliation in Northern Ireland on key areas such as terrorism and constitutional solutions. The Opsahl report is broader and in some ways more plodding, although it may be more practical and selective of the issues that it examines. It deals with economic, social, religious, cultural, and education issues, which are given as much weight as the political, constitutional, terrorism and security concerns. The House normally deals with those concerns, but it gives too little attention to the economic and social agenda.

The report is very much in favour of the development of cross-border co-operation on the economic agenda. We are in the era of the Single European Act, disappearing trade barriers throughout Europe and advancing trade and commerce between nations and regions. That needs to be encouraged in the island of Ireland. The report recognises, however, that for that to take place we need a new Northern Ireland Government, acceptable to the communities involved, to work with the Irish Government. It is a matter not of sharing Executive power but of discussion and negotiation between two sides and two interests. The policies of the IRA lead to borders being placed between Northern Ireland and the Republic of Ireland which considerably disrupt trade. For instance, the IRA attacks trains travelling between Belfast and Dublin to push goods back on to the roads, where protection rackets can more readily and easily operate.

The report also suggests regional development plans with economic and social goals, as proposed by the Northern Ireland Chamber of Commerce and Industry and by the Northern Ireland Voluntary Trust. The argument is that we should move beyond just considering the free market and that we should introduce development, planning and regulation, which runs counter to the deregulation legislation introduced by the Government. The arguments about the operation of economic and social matters in Britain differ from those in Northern Ireland because an incentive is required to draw communities together.

On the social agenda, the report states that there should be a gradual policy of integration over wide areas. It stresses the need for integrated education. A small and admirable integrated education programme exists in Northern Ireland, but the report recognises that it should be extended much further. The compilers of the report were impressed by the sixth forms in Northern Ireland, whether basically Catholic, basically Protestant or integrated. They felt that pupils wished to express their desires and suggested that they be allowed to find out much more about the different communities, their histories and traditions. There is a programme of education for mutual understanding in schools, which the report stresses should have more funding.

The report stresses the point that there is a problem with the Catholic hierarchy in terms of the development of integrated education. I have always believed that integrated education should start with teacher training, but at present integrated teacher training is limited to university provision. The fact that one of the separate teacher-training colleges is Catholic means that the other, in practice, caters for Protestants. We cannot envisage more integrated education if the teachers themselves are not integrated and I often press the Government about what can be done to break down the barriers to integration.

The report also stressed the need for pilot integrated housing schemes. The Northern Ireland Housing Executive has done much valuable work, but unfortunately certain free market policies have recently been imposed on it. It tends to develop different housing schemes in different areas according to the representations made to it, which causes problems, but pilot schemes with subsidised rents would attract people. Community work is also highlighted and the report suggests that the type of cross-community trust which exists in Derry should be extended.

It is also recommended that the integration of men and women in the political process should be pursued. Women are very poorly represented in Northern Ireland politics, in the parties in general and on public bodies. Some of the entrenched sectarian attitudes, which are strong among the men, may rub off less strongly on women because of the nature of their activities, the problems that they face and the ease with which they recognise the common problems faced by, for example, unemployed families, whether they be Protestant or Catholic.

The report also stresses the need for cultural integration. I have already mentioned the education programme for mutual understanding, which states that there appears to be an interest among Protestants—especially schoolchildren—in understanding their Irishness, but without the traditional nationalist propaganda. It believes that an understanding of the cultural development of Northern Ireland is important. Comments on the Opsahl report tend to concentrate on its political and constitutional agenda, but I have sought to stress the economic and social aspects because they deserve more attention than they receive.

On constitutional matters, the report said that if the talks then taking place failed a commission should be set up in consultation with the Irish Government to speak directly to the people—in other words, that an "official Opsahl" should remain in existence. I know that that idea has been dismissed, on the grounds that the talks will not fail and that there is another stage to come, but we should keep it on the agenda all the time because the Opsahl commission found areas in which no movement could be made, due to entrenched positions. There were arguments about ways of overcoming that problem through continuing work, which could then be picked up officially.

The commission argued for the legal recognition of nationalism, so that in a new Northern Ireland Government parity of esteem would be recognised. For some of us there is a problem with that idea, because it rather suggests the sort of veto that might be operated by nationalist or unionist politicians that runs against the integrationist principles for which the report argues elsewhere. However, in order to get government off the ground in Northern Ireland something of that sort may be needed as a starter, and if the principles of integration were running elsewhere there would begin to be a principle of integration in the political sphere. The report also suggested that it was not good enough to get a mere arithmetical majority agreement on the future constitutional position. A consensus was needed—a consensus broad enough to be reflected in both communities. The report says that majority support for the advances would be needed in both communities.

The commission was criticised for arguing for consultation with Sinn Fein—unfairly, because such consultation was already taking place at the time. We have heard a lot about that, and whatever might be said about the initial discussions, the Government have adopted the correct approach since then, both in the declaration and in their clarification. The questions that have been asked back, such as when the violence will end, really put Sinn Fein on the spot. The Government's present position is within the spirit of the Opsahl report.

There is also stress on the need for a Bill of Rights, for which there is wide support in many areas. John Bruton, the leader of Fine Gael, suggests that the talks could initially be about a Bill of Rights as a subject on which people may be able to make a start.

The most impressive aspect of the Opsahl report is not so much its recommendations as the fact that it is a process and gives the reader a feel not just for the difficulties and problems of the Province, but also for the hopes. The problems can be expressed in the words of a 15-year-old Catholic schoolgirl, who said:

> "Like the thin white ribbon that the police use to seal an area, we wrap ourselves in our territories, where we know we are safe".

Perhaps the Opsahl process can help to make life feel safe and good for both Catholic and Protestant schoolchildren outside the territories marked by white ribbons. The white ribbons may even no longer be there to form barriers in people's minds between two areas.

I hope that the British Government will start to take the report seriously—more seriously than has been suggested by the off-the-cuff and sometimes rather glib remarks that they have made so far.

1.17 pm

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): I am grateful, as is the House, to the hon. Member for Derbyshire, North-East (Mr. Barnes) for providing an opportunity for the House to debate Northern Ireland today. But for the Whitsun recess, we should have had Northern Ireland questions today, so the debate provides a useful opportunity to ensure that Northern Ireland remains at the head of the parliamentary agenda, as it does at the head of the Government's agenda.

Sadly, day-to-day events tend to keep Northern Ireland in the spotlight. In recent days there have been further savage attacks and killings by both loyalist and republican terrorists. I am sure that the hon. Gentleman and the rest of the House remain united in our utter rejection of those cowardly and futile crimes, and in our determination to find an answer to the tragic problems that for too long have caused suffering and despair in that beautiful land.

The hon. Member for Derbyshire, North-East is well known in the House for his caring concern for Northern Ireland. Specifically, he has shown a close interest in the Opsahl report ever since it was published last summer and the House will be grateful for his commentary on the report today. It was a wide-ranging report, sometimes far more wide ranging than it is given credit for publicly. It was certainly not just political and constitutional. I listened with interest to what the hon. Gentleman said, especially about education which, as he knows, is one of my responsibilities within the Northern Ireland Office.

The hon. Gentleman knows of the Government's current support for the principle of integrated education where there is a parental demand for such education, and for the principle of the cross-curricular themes of education for mutual understanding and cultural heritage within both the controlled and maintained sectors. There is little difference between us on the need to ensure that within the education system there is a permanent cross-current which brings the communities together.

My right hon. and learned Friend the Secretary of State is already on record as responding to the report on behalf of the Government. In reply to a written question tabled by the hon. Gentleman last June, my right hon. and learned Friend said that the report

> "provides a valuable record of the commission's work, which clearly did much to stimulate the submission of views from a wide range of individuals and organisations."—[*Official Report*, 28 June 1993; Vol. 227, c. *339*.]

He also observed that a number of the recommendations were clearly controversial and had provoked dissenting comment. He said that in his view the value of the report lay principally in enlivening and developing informed public debate. He went on to recognise that the report

[Mr. Michael Ancram]

offered an important source of ideas. Today's debate is an indication that the principles outlined in the Opsahl report are, indeed, continuing to cause and enliven debate.

My right hon. and learned Friend the Secretary of State also mentioned the report in more detail in an Adjournment debate on 22 October, to which the hon. Gentleman has referred. The report was also the subject of a full debate in another place on 3 March. On that occasion, Baroness Denton responded in some detail to many of the main points in the report and I shall not go over all that ground again today. As I have said, the report covers a wide range of areas and is addressed to a number of groups, not just to the Government. As the hon. Gentleman mentioned, the report received a cool reception from the Northern Ireland parties generally. Nothing would be gained today by going over the recommendations again in great detail when, as I have said, our position is already on the record.

On the political front, however, the report suggests ways in which to find a political settlement in Northern Ireland. The great value of today's debate is the way in which it highlights, once again, the need to continue to pursue the goal of an agreed, wide-ranging political accommodation. In that regard, the Government certainly share the political objectives of the report, although we differ on the means by which to achieve them. The report suggests that if the talks fail—that is an important phrase —the Government, in consultation with the Irish Government, should establish a commission to study the situation and to make recommendations for further consultation with the political parties and, if necessary, directly with the people of Northern Ireland. The report identifies what it calls seven realities which it believes must be accepted before an accommodation can be reached. The report also talks in terms of equal sharing of power by both main parts of the community and proposes at the same time giving legal recognition to Irish nationalism.

As I have said, I do not want to get involved in too much of the detail today, but I must say at this stage that I reject totally the notion that the talks have failed—the triggering device within the report. As the House is aware, dialogue is continuing both with most of the Northern Ireland parties and with the Irish Government. The House will also wish to bear in mind the fact that events have moved on considerably since the report was published last June, despite—I say this with all respect—the hon. Gentleman's assertion that they have not done so to any great extent.

The main change has been the historic joint declaration by the Prime Minister and the Taoiseach last December, which established a new level of understanding between the British and Irish Governments about how Northern Ireland's future should be determined. In particular, it offered a clear opportunity to those who support violence to turn away from it and to join the political process. The key to that was that violence must be ended, permanently and for good. It is testimony to the way in which the declaration sets out a balanced set of principles, founded on the notions of agreement, consent and the rejection of violence, that it has been warmly welcomed nationally and internationally, including by the Opposition parties and by the hon. Gentleman in particular.

The Opsahl report suggests that arrangements for government within Northern Ireland should be based on the principle that each community has an equal voice in making and executing the laws or a veto on their execution, and equal shares in administrative authority. The Government come to the issues from a different angle. We do not propose to impose a solution. We do not have a blueprint for a settlement. To quote the joint declaration, the Government's

> "primary interest is to see peace, stability and reconciliation established by agreement among all the people who inhabit the island".

Further, the declaration makes it clear that

> "The role of the British Government will be to encourage, facilitate and enable the achievement of such agreement over a period through a process of dialogue and co-operation based on full respect for the rights and identities of both traditions in Ireland".

To put it another way, Britain's purpose in Northern Ireland is to ensure democratic debate and free democratic choice. The Government fully accept the need to restore locally accountable democracy in Northern Ireland. However, as the Opsahl report recognises, for any new structures to be both fair and workable, they must command wide support and allegiance in Northern Ireland itself. That means that any accommodation must address those arrangements in the context of wider relationships.

We believe that the best forum for reaching such an accommodation lies in the talks process, which is continuing. For the past eight months, I have been in private bilateral discussion with three of the four main constitutional parties in Northern Ireland, exploring areas of common ground across all the relevant relationships —in Northern Ireland, among the people of the island of Ireland and between the two Governments. We have built on the work carried out in the 1991 and 1992 talks, and in recent weeks we have submitted to the parties a paper which floated ideas relevant to those relationships.

Mr. Barnes: The additional point about the Opsahl report is that there can be a nibbling away at many of the areas that help to nurture the extremists in Northern Ireland. The avenues of integration that are talked about, the tackling of problems of unemployment and deprivation, take the ground from under extremists in Northern Ireland when they are arguing their case against the alternative community and the alternative political settlement. We should not look only for a dramatic solution, although one hopes that that will happen. I support entirely the joint declaration and everything associated with it, but other action may be taken in economic and social areas which would help to improve the situation.

Mr. Ancram: I do not dissent at all from what the hon. Gentleman says. We have always regarded the political process as being one of the policy priorities in Northern Ireland. Equally, security is another and the third is economic advancement and the type of integration and opportunity to which the hon. Gentleman refers.

In the last few minutes available, I shall concentrate on the political side. As I have said, we have been building on the talks which took place and we shall continue to do so. There will be further exchanges with the main constitutional parties in Northern Ireland, and we hope that in the end we shall be able to persuade them to return to a more formal talks process. In parallel with my discussions with the parties, intensive consultations with the Irish Government have been in progress to develop a joint framework to carry the talks process forward. A progress report was made to the last intergovernmental conference on 25 April and work is continuing. Our intention is to bring together those two areas of activity and to return to multilateral talks involving the two Governments and the main constitutional political parties at the appropriate point. Our objective is to facilitate a comprehensive political settlement covering all the main relationships, as set out in the statement of 26 March 1991.

The Opsahl report also recommended that the Government should open informal channels of communication with Sinn Fein to test that party's commitment to the constitutional process. As the hon. Member for Derbyshire, North-East made clear, the joint declaration delivered a direct challenge to Sinn Fein as to whether it carried on supporting the odious and futile campaign of violence or adopted the way of constitutional politics. The ball is now firmly in its court and we await its answer. It has prevaricated long enough. It has made an issue of so-called clarification. As the hon. Gentleman suggested, last week we issued a statement commenting on its questions. We said in that statement:

> "The vast majority of people in Ireland, North and South and of both traditions, demand an end to violence now. Their wishes could not be clearer."

That is the wish that brings the hon. Gentleman and me together today in what we are saying. It is certainly the wish of the people of Northern Ireland. It was also the wish expressed in the Opsahl report.

Cuba

1·29 pm

Sir Thomas Arnold (Hazel Grove): I am grateful for the opportunity to address the House on British trade with Cuba. I am delighted that my hon. Friend the Under-Secretary of State for Corporate Affairs will reply on behalf of the Government, not just because he is a parliamentary neighbour of mine but because I know that he is a man of culture. He will appreciate the reference when I say that earlier this year Channel 4 showed a delightful film called "Weekend in Havana" starring Carmen Miranda and other famous film stars. The film was made in 1941. When I saw the film, little did I realise that a few weeks later I, too, would spend a weekend in Havana. I did so at the end of February as the guest of a British business man who believes that we should develop closer trading links with Cuba. I invite the House to see the declaration that I have made in the Register of Members' Interests.

While I was in Havana, I had a long discussion with Dr. Ricardo Alarcón, the chairman of the National Assembly of People's Power. I was left in no doubt that he was promoting change and reform and was committed to that process. Therefore, I was delighted that my hon. Friend the Member for Poole (Mr. Ward), in his capacity as chairman of the British group of the Inter-Parliamentary Union, decided to invite to Britain a parliamentary delegation from the Republic of Cuba, led by Dr. Alarcón. Indeed, the delegation has been with us in the House for most of this week. The visit has been a success. We have had the opportunity to explain to the members of the delegation some of the finer points of the procedures of the House. Although in certain matters they may be as mystified as I still am after 20 years, I think that they have enjoyed themselves and the House has certainly enjoyed having them with us.

Yesterday afternoon, Dr. Martínez attended the Treasury Select Committee to listen to the Governor of the Bank of England give evidence. Dr. Tablada has been very active in asking questions about the health service. Dr. Alneida has been inquisitive on several matters, about which he has asked detailed questions. Mr. Rodríguez has also been with us throughout the proceedings.

I believe that an improvement in relations between Britain and the Government of Fidel Castro has taken place, and that it indicates growing opportunities, above all perceived by British business in Cuba. In some respects, this is a case of trade taking the lead. There is no doubt that most British business men who are familiar with the Caribbean would like to see the Cuban market open up to British business interests. That needs to be done in conjunction with the Government because several knotty problems have to be overcome.

I have referred to the process of change in Cuba. Cuba is an economy in transition facing real and painful difficulties. I was reminded during my visit to Havana of some visits that I made to Moscow towards the end of the 1980s in my capacity as chairman of a company limited by guarantee, using money from the British know-how fund and private sources to assist the Russians in their process of transformation. Many of the problems which are apparent in Cuba are problems that we have seen elsewhere in eastern Europe, particularly in Russia. I am under no illusions about the immensity of the task facing the Cuban

[Sir Thomas Arnold]

Government as they seek to bring about much-needed change and reform. That will not happen easily; nor will it happen quickly, because the habits of mind inculcated by 30 or 35 years of a command economy are not easy to remove overnight. The transition process will require patience and a measure of understanding on the part of those of us who want better trade relations with Cuba and it would be greatly assisted if the United States Government could be persuaded gradually to adopt a different attitude towards the embargo.

It is a pity that the embargo remains in place. My own view—I know that it is not one shared by Washington—is that if the Cubans can get the economy moving there will be further reform. I believe that trade and perhaps even a measure of aid are essential ingredients in improving the living standards of the people of Cuba, getting the economy moving and, thereby, assisting in the reform process.

Britain has always maintained diplomatic relations with Cuba. We have a number of companies that are well established there, not least the sugar company, E.D. and F. Man, which is, at this very moment, hosting a reception for the Cuban parliamentary delegation. I believe that it is the virtually unanimous view of British business men that the United States Government should be invited to review their policy.

We believe that the changes that have taken place are now irreversible and we need to concentrate on the speed at which further reform can be implemented. My understanding is that there has been an acceleration in the process. Among the measures that have been introduced or are expected to be introduced during this year and 1995 are the following: the legalisation of holdings of foreign currency; the introduction of a fully convertible peso; the introduction of a new banking system; the introduction of corporation and income tax—controversial, but necessary; the removal of subsidies from state industries; the introduction of new legislation relating to investment, trade marks and intellectual property; the privatisation of non-essential aspects of the economy; the establishment of autonomous control for most state industries; the acceptance that such measures may lead to unemployment, and probably will; the development of debt for equity swaps; and more active encouragement, on easier terms of investment, in virtually all aspects of the economy. In short, Cuba is undertaking a major structural adjustment programme—there is no doubt about that. The process is introducing market forces within a managed socialist system. It is also leading indirectly to a form of political pluralism as the National Assembly and parliamentary commissions begin to question the solutions proposed by the Cuban Government and the Cuban Communist party.

It is worth commenting for a moment on one piece of background reform and action that should figure largely in the mind of the Cuban Government when attracting foreign investment. While recognising that the economy is doubtless in a serious state, with foreign debt at US$10 billion, plus interest accruing daily, no payment of interest has been made since January 1988, despite Paris Club rescheduling in 1983, 1984, 1985 and 1986. Until then, Cuba's debt repayment record was good. While Cuba undoubtedly needs to show a genuine balance of payments need, the Government should show some signs of willingness and ability to pay something before further rescheduling is considered by the Paris Club. If the Cuban Government can recognise that, they will send a signal to the business community that Cuba is serious about meeting her obligations and, in return, no doubt we can take a more generous attitude to what needs to be done.

There are positive signs in the Cuban economy of a welcome change from the practices of the past. I was pleased to learn that the Government have now decided to send my hon. Friend the Parliamentary Under-Secretary of State for Technology to Cuba in the autumn. I hope that my hon. Friend the Minister will be able to say something about that visit.

There was a Caribbean Trade Advisory Group—CARITAG—mission to Cuba recently. Can my hon. Friend comment on the way forward for the United Kingdom-Cuba commercial relationship following that visit? When the British ambassador formally announced to the media that the Minister was to visit Cuba, and officials accompanying the delegation were able to familiarise themselves with the economic changes taking place, the Cuban Government recognised that we are serious about promoting inward investment and helping British companies to make the most of the opportunities that could exist there.

Will my hon. Friend say a word or two about outstanding commercial debt and how that problem might be resolved? I believe that part of the United Kingdom debt is not covered by the Export Credit Guarantee Department and that CARITAG's chairman has proposed new ways in which the debt might be dealt with.

I would also appreciate it if my hon. Friend could say a few words—if not now perhaps in correspondence—about ways in which the British Government and British companies might provide technical assistance, through scholarships, training and seminars. I should like to think that we could reach a time when some sort of know-how fund could be set up, because that would greatly assist the reform process. The fund has a proven track record of success in eastern Europe and Russia. With a small amount of adaptation the same principles could be put to work in Cuba.

A great deal is taking place and we should not be impatient with the speed of change and reform. When I was in Havana the very real problems that the ordinary Cuban has to confront daily were striking. I understand that the Cuban economy contracted by about 50 per cent. last year, which is a truly staggering figure and a measure of the problem. Yet, British business men are keen to explore the opportunities, not merely because Cuba is potentially the largest market in the Caribbean, but because Cuba's long-running isolation produces some instability in an area where Britain has important commercial interests.

In that respect the Government have a very real interest in promoting the stability of the Caribbean, not least in view of the location of British territories, such as the Cayman Islands and the Turks and Caicos nearby. I urge the Government to hold further talks with the American, to find out whether the embargo could be eased and then lifted.

Finally, I was impressed by the objectives that the parliamentary delegation from Cuba set out to achieve this week. Clearly, the delegates want to apply some of their findings to their parliamentary system, which is in the early stages. I am convinced of their sincerity in that regard.

I am also impressed by the vulnerability of the Cuban economy and I want a situation to arise in which we can assist it, as one of the remaining command economies—I think that it is one of only two in the world now, the other being North Korea—to embark fully on introducing private enterprise, market reforms and all the other measures that are needed to raise the Cuban people's standard of living. To the extent that British trade and investment can assist in that process, it is to the mutual advantage of both our countries. I look forward to listening to my hon. Friend's reply.

1.44 pm

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Neil Hamilton): I congratulate my hon. Friend the Member for Hazel Grove (Sir T. Arnold) on securing this debate. When I discovered that my hon. Friend had been successful, knowing of his interest in Cuba, I insisted on being here myself to reply to the debate in the place of my hon. Friend the Minister for Trade.

There is a growing interest in Cuba and hon. Members will be aware that a delegation from the Cuban National Assembly is here at the moment as guests of the British group of the Inter-Parliamentary Union.

I know that it is a subject which interests hon. Members on all sides of the House, and I welcome the presence of the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey). The Cuban Minister for Basic Industry, Senor Portal, is also visiting the United Kingdom.

Hon. Members may also recall the debate in another place, sponsored by my noble Friend Baroness Young, whose interest in the Caribbean is well known. We must also welcome the efforts of the West India Committee and my Department's own Caribbean Trade Advisory Group —CARITAG—which have led successful business missions to Cuba in each of the past three years.

The Cuban economy has received a series of profound shocks, as my hon. Friend pointed out. They resulted from a number of extraordinary changes in recent years—in particular, the loss of subsidised trade with the former Soviet Union and a disastrous sugar harvest last year. All that was against the background of the long-standing United States trade embargo.

Those shocks, more than anything else, have forced the Cubans to look towards reform of their economy and to diversify their trade away from the old eastern bloc countries. There is, of course, a long way to go, but the fact that reforms are being introduced is a hopeful sign and the Cubans are actively encouraging joint ventures and other forms of economic association with foreign enterprises, which would have been unthinkable only a few years ago.

As my hon. Friend pointed out, Cuba is one of only two countries in the world which could be characterised as command economies. I believe that the Cubans are making tentative steps away from that rather disagreeable position of isolation. We shall then be left with only one, in North Korea, and I am sure that it will not survive indefinitely.

The British Government's policy is to maintain normal commercial relations with Cuba. British companies should be able to trade with Cuba and invest there, if they see it as being in their commercial interests to do so. Moreover, the DTI market branch and CARITAG are actively drawing British industry's attention to the opportunities which are opening up as a result of Cuba's reform process.

I agree with what my hon. Friend said about the isolation of Cuba and trade embargoes. I have never been a great believer in trade embargoes. I believe that the embargoes of some countries and the isolation which was enforced upon South Africa did not make it any easier for the reform process to start there. I take a similar view of Cuba. My hon. Friend was quite right when he said that it would require a change in the habits of mind of the people of Cuba, who have been insulated from the real world for so long now that the structural reform process will need to be very significant.

It is undoubtedly true, as my hon. Friend said, that we shall need to exhibit a certain amount of patience. I have had some experiences recently in eastern Europe, talking to people in many of the countries that are also having to undergo difficult structural adjustments. I am going to Romania on Tuesday. In many ways, Romania resembles Cuba several years ago before the nosedive in trade and GDP which the Cubans have recently suffered.

Those countries are also having to contemplate changing how they do things and think about things. The basics nostrums of a market economy have been lost and they have to be recreated. They cannot be recreated if we refuse to trade with them. Only by example, by showing the advantages of trade and investment and dangling the carrot in front of them, can we induce them to make the necessary changes which will transform their position.

Ultimately, there is an element of self-interest, because trade and development benefit the purchaser, the seller, the investor and the country in which the investments take place.

I am very much in favour of reconstruction in Cuba. I was delighted to hear my hon. Friend refer to that notable company E.D. and F. Man. That company was represented when I was recently in Warsaw engaged in the similar task of bringing together eastern European countries with the G7 countries and trying to find a way through their current difficulties in making the transition from command economies to private enterprise economies. I believe that the company has a significant degree of experience that will be of great value and will help us to find a way through Cuba's problems.

I know that the United States of America takes a different view on trade embargoes. That is a matter for it and I have no intention of delving into what the Americans see as their domestic political interest. However, we do not accept that British subsidiaries of US firms should be prevented by US law from trading with Cuba. That is why my hon. Friend the Minister for Trade took action under the 1980 legislation on the protection of trading interests to safeguard the interests of companies incorporated in the United Kingdom, whatever their parentage.

I very much hope that British trade with Cuba will expand in future years. I have always done a modest amount of trade with Cuba, in that I have smoked a large number of its cigars over the years and intend to continue to do so—I hope in ever-increasing numbers. However, on the political side of the argument we enjoy normal relations with Cuba, although there is no doubt that we have our differences, such as different concepts of human rights and fundamental freedoms; different ideas of the role the state should play in everyday life; and different views on the value of a democratic society.

I am pleased that Cuba is embarking on a process of change. I hope that the current economic reform programme will continue and that the first moves that we

[Mr. Neil Hamilton]

saw last year towards political change will be developed. It is important that Cuba is encouraged to take those steps and we will do all that we can to help. I look forward to expanding our political relations as Cuba makes progress on those fronts. We very much welcome the fact that the Cuban delegation is in London at the moment. We hope that it has profited as much as we have from the experience.

United Kingdom direct trade with Cuba has suffered from Cuba's economic problems, the lack of foreign exchange and the absence of ECGD cover while Cuba's existing debt commitments remain unresolved. In 1993 UK exports were £14 million, down 50 per cent. on the previous year. That mirrors the fall in GDP to which my hon. Friend referred. Exports are mainly agricultural chemicals, industrial machinery and manufactured goods. Notwithstanding that, there has been an encouraging increase in interest by UK companies attracted by Cuba's potential and anxious to position themselves favourably in a changing market.

However, there have been colossal shocks—it is not easy to circumvent the rapids and rocks. A fall of almost 40 per cent. in GDP since 1990 and a fall of more than 70 per cent. in the capacity to export are formidable problems which, inevitably, will produce great difficulties for any company that wants to trade with Cuba.

As my hon. Friend said, the debt problem is also significant. Cuba's commercial debt has largely arisen since the foreign exchange problems started in the mid-1980s. Before that, it had a good payments record. Recent events have compounded the debt problem. The British embassy in Havana continues to press the issue with the Cubans on behalf of the UK companies that are owed money. However, I am sorry to say that no recent payments have been made on outstanding debts to UK suppliers.

Any foreign exchange available is used to pay for essential imports in the priority sectors, such as agriculture, tourism, biotechnology and health care. United Kingdom companies doing business with autonomous enterprises in the priority sectors that hold their own foreign exchange accounts are in a better position to secure payment for goods supplied. Although Cuban officials have given an undertaking that all debts to United Kingdom companies will eventually be honoured, companies need to be inventive to get round the problem—for example, by agreeing to "roll over" existing debt. There may also be opportunities for "debt for equity" swaps and counter-trade arrangements involving Cuban sugar.

I am afraid that I have no easy answer to Cuba's problems with international debt. One thing is certain, however: Cuba's capacity to repay debt, or even to finance it, will be gravely restricted if trade between it and the rest of the world cannot expand. It is a chicken-and-egg situation. I very much hope that growing trade links—to mutual advantage—will help us to sort out the continuing debt problems.

A recurring theme in the February debate in another place was the call for more official dialogue with Cuba, and in particular a visit by a British Minister. I am pleased to say that my hon. Friend the Member for Derbyshire, West (Mr. McLoughlin), the Parliamentary Under-Secretary of State for Technology, will visit Cuba in the autumn, accompanied by a small group of high-level business men. My only regret is that I shall be unable to go with them. I hope that in due course I shall have an opportunity to become more familiar with Cuba and, indeed, the Caribbean, which I have never visited.

There is no doubt that there are great opportunities for Britain in that part of the world. We have taken the initiative in proposing to the Cubans a bilateral investment promotion and protection agreement, which will set high standards of investor protection and encourage investor confidence. I am glad to say that the Cubans have responded positively.

Cuba is the sleeping giant of the Caribbean. So far the reforms, although encouraging, have been limited, and are being introduced slowly; but I believe that, if Cuba succeeds in making the difficult transition to a more market-led economy, more commercial opportunities will be provided for UK firms to participate in its development.

I think that we should be encouraging and constructive. The British Government can give the Cubans the benefit of our expertise in privatisation and economic reconstruction, which has been exported all over the world in recent years. Many British firms—firms of consultants, as well as those in the industrial manufacturing sectors—have now acquired significant experience of the problems of change from a command economy to one that is more market led. Britain leads the world in many of those fields, and consequently is now a major export and foreign exchange earner. I believe that Cuba offers us opportunities, although it is one of the last countries to embark on such a transition.

I do not say that in an entirely self-interested way, on behalf of this country. I believe that there is room for a spirit of generosity towards Cuba—that we should assist it to make this difficult change. No one should underestimate the pains of transition, as will be plain to anyone with knowledge of the so-called Visegrad countries of eastern Europe, which are miles ahead of Cuba in this respect and have relatively easier prospects. Cuba's problems will be even greater because it is moving from more extreme conditions.

If Albania can achieve such a transition, surely Cuba can. There is no lack of good will in the British Government—or, I would say, among the British people—in helping the process. Cuba is likely to develop its tourist potential. In the 1950s, when it was last connected with the western world, it was one of the major tourist locations of the Caribbean; tourism is potentially a huge foreign exchange earner. It is an attractive destination. Very few people go there nowadays, but every week the *New Statesman and Society*—which I read—features a full-page advertisement for "progressive tours". I have never taken a progressive tour myself, I hasten to add, but that company advertises the delights of Cuba for those who would like to take advantage of them. Perhaps I am more used to retrogressive tours.

We certainly warmly applaud the opportunity to return Cuba to the mainstream of the world economy, which is not only in our interests but in Cuba's interests, too, and to maintain the stability of the Caribbean—the importance of which was also stressed by my hon. Friend. I hope that we will assist in that transition process, rather than stand in its way.

Civil Rights (Disabled People)

1.59 pm

Mr. John Austin-Walker (Woolwich): I want to deal with this issue in three parts. The House recently considered a Bill which, had it been passed, would have secured civil rights for disabled people. I wish to review the way in which the Government approached that remedy. I intend also to consider the general issue of rights for disabled people and the argument for legislation in addition to education and persuasion. I shall also examine the costs of providing civil rights for disabled people in this country.

The Government are aware that the majority of right hon. and hon. Members are in favour of the Civil Rights (Disabled Persons) Bill. Because of that, the Government ran away from the issue and deployed a series of delaying tactics to prevent a Bill which would have afforded civil rights for disabled people from becoming law.

Yesterday Madam Speaker had the task of rebuking the hon. Member for Sutton and Cheam (Lady Olga Maitland) —and rightly so—for denying that the source of her amendments was other than herself. The House is well aware that those amendments had been drafted by parliamentary counsel on Government instructions.

Mr. Deputy Speaker (Mr. Michael Morris): Order. The subject of the hon. Gentleman's debate is civil rights and disabled people; it is not meant to be a re-run of events surrounding a Bill which aroused a certain amount of controversy. I therefore ask him not to stray into matters which have already been fully debated.

Mr. Austin-Walker: I take your point, Mr. Deputy Speaker, but my understanding is that the Civil Rights (Disabled Persons) Bill is still before the House and that there will be another opportunity for the House to return to it.

Mr. Deputy Speaker: Order. The hon. Gentleman cannot refer to that Bill.

Several hon. Members *indicated dissent.*

Mr. Deputy Speaker: Order. I do not want to stifle debate, but the hon. Gentleman can refer to the Bill only incidentally. I trust that the hon. Gentleman understands me.

Mr. Austin-Walker: It is clear that disabled people in this country believe that they are denied their civil rights. There have been repeated attempts in the House to secure those rights. When my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) was a Minister, he established a committee to examine the issue. That committee reported 12 years ago. Since then, there have been repeated attempts to introduce legislation, including that of my right hon. Friend the Member for Wythenshawe in the last Parliament.

More recently, a Bill was introduced by my hon. Friend the Member for Kingswood (Mr. Berry), which was also debated. In accordance with your ruling, Mr. Deputy Speaker, I shall not debate the way in which that Bill was obstructed. However, I shall examine the difference in the approach of the supporters of that Bill and that of the Government.

Until recently, the Minister for Social Security and Disabled People had earned the respect and confidence of many disabled people and organisations for the disabled, and it is tragic that he has become the fall guy in the blocking of a measure which could have given civil rights to disabled people when responsibility in fact rests not with him but with his senior colleagues and, ultimately, the Prime Minister.

On 12 April, the Prime Minister told me that the Civil Rights (Disabled Persons) Bill would provide an opportunity to examine the practical implications of such legislation in Committee. I regret that that did not happen and I want to discuss the reasons that the Government give for not embracing comprehensive civil rights legislation.- For the Prime Minister's commitment to be honoured, it would have been necessary for the Government to put their view in Committee, but they did not do so.

In the last Session of Parliament, the Minister said that he did not want the Bill introduced by my right hon. Friend the Member for Wythenshawe to proceed because we were coming to the end of the parliamentary Session and the Bill required detailed examination during a good long run in Committee. In the short period before the summer recess the House may, if it wishes, debate in detail and pass into legislation—

Mr. Deputy Speaker: Order. There is no opportunity today for such a discussion. The hon. Gentleman should return to the subject of the debate. We are discussing civil rights and disabled people. Most of his speech has dwelt on the Bill.

Mr. Austin-Walker: My right hon. and hon. Friends and I believe that we need legislation to secure the civil rights of disabled people. The Minister told us that he favours a process of education and persuasion. We need education and persuasion to assist in the fulfilment of civil rights for disabled people, but if we rely on that alone, thousands of disabled people will endure years of frustration, unemployment, poverty, low incomes and the denial of dignity and basic human rights. Disabled people are not asking for preferential treatment. They are seeking equality of opportunity. They are asking for the right not to any and every job but to be considered fairly for any job.

Sometimes a disability may prevent a person from doing a particular job. In those circumstances if the Civil Rights (Disabled Persons) Bill introduced by my hon. Friend the Member for Kingswood had become law, an employer would not have been guilty of discrimination by not employing a disabled person. More often than not, however, if the disabled person has the skills to carry out a job, some obstacle will be placed in the way. Often the barrier to a disabled person doing a job can be cheaply and easily removed.

Much has been made in past debates, not only in this Session, about the cost of securing civil rights for disabled people. At no stage, however, have the Government costed the benefits of people moving from dependence to independence and the savings which result for the community if disabled people are in work contributing to its wealth rather than receiving benefit.

Employers' research clearly shows that their perceptions of disabled people in work are flawed. Disabled people are far from being a burden. Statistical evidence shows that the job performance of 91 per cent. of disabled workers is average or better than average and that the attendance of 93 per cent. of them is average or better than average compared with able-bodied people.

[Mr. Austin-Walker]

Direct discrimination is a problem, but institutional discrimination is probably a greater problem and more difficult to tackle. Anti-discrimination legislation is the only effective way to tackle that. Institutional discrimination can be addressed only by changing organisational, social and individual behaviour. That requires legal prescription. The Government recognise that in terms of racial discrimination, but not in terms of disability. Martin Luther King dismissed the case for relying on education and persuasion alone to end racial discrimination. He said:

> "Morality cannot be legislated, but behaviour can be regulated. Judicial decrees may not change the heart, but they can restrain the heartless."

Attitudes need to change, but in the meantime behaviour and practices need to be regulated to ensure that disabled people enjoy their full basic human and civil rights.

Disabled people are fed up with charity and with paternalism. They want rights. A disabled person who has been refused a job or denied access to a restaurant does not want to wait for the Minister's favoured course of education and persuasion to take effect. In employment, we have had education and persuasion for more than 50 years. We have had ineffective legislation with virtually no penalties since 1944. There is a power to prosecute under the Disabled Persons (Employment) Act 1944, but the Government have not embarked on a single prosecution since they took office, preferring the path of education and persuasion; yet today, 50 years after the legislation was introduced, only 20 per cent., or one fifth, of employers comply with it. We are approaching the year 2000, but at the current rate of progress we shall be two centuries into the next millennium before all employers comply. However, even that is not what disabled people want.

The 1944 Act imposes quotas, a concept that is specifically unlawful in other forms of legislation such as the Race Relations Act 1976. Quotas are, by their very nature, discriminatory. Disabled people do not want quotas or tokenism and they do not want to be patronised. They want rights. The Morris Bill and the Berry Bill would have provided basic civil rights for disabled people.

One objection to such all-embracing legislation is the cost involved. The Government have argued that those who produced—

Mr. Deputy Speaker: Order. I hate to interrupt the hon. Gentleman in such a short debate, but I must draw his attention to the rules of the House. "Erskine May" states:

> "In general, matters which would entail legislation must not be discussed on a motion for the adjournment".

The hon. Gentleman must not refer to legislation.

Mr. Austin-Walker: Perhaps it would be appropriate to refer to the Select Committee on Employment, which in 1991 called on the Government to

> "explore urgently the possibility of equal opportunity legislation for the employment of people with disabilities and report to Parliament upon the potential effect and costs in the Labour Market."

Mr. Alfred Morris (Manchester, Wythenshawe): Perhaps my hon. Friend could also discuss the point that many people make as to why it is argued that this country cannot afford civil rights for disabled people on grounds of cost when so many other countries can afford full civil rights for their people.

Mr. Austin-Walker: I agree with my right hon. Friend.

We have not yet seen the report so urgently called for by the Select Committee on Employment in 1991 to examine the cost and the effects on the labour market of equal opportunity legislation for people with disabilities. Before comprehensive legislation was introduced in the United States, there were suggestions that it would place enormous burdens on industry and small businesses in particular. However, the evidence from the United States, which has pursued a policy of all-embracing equality legislation and adopted the civil rights approach, shows that those forebodings have not been realised. Industry has not been crippled and firms have not gone out of business as a result of civil rights measures.

The Government said that giving civil rights to disabled people would cripple industry and the competitiveness of small businesses. Will the Minister tell us how many businesses in the United States were brought down by the cost of complying with the Americans with Disabilities Act? In fact, most employers found that the rhetoric in this country—from the Department of Trade and Industry and the Department of Employment—is true, and that compliance with the ADA in America has benefited them because they have been able to tap a previously unknown market. There has also been a massive shift in public attitude and a massive improvement in accessibility, and the public and the media have become more aware of disabled people and their rights. The ADA works in America and it is based on the concept of civil rights. The same pattern has been followed in New Zealand, Canada and Australia, but not in Britain. The Government simply trot out the old adage, "We can't afford it."

I deal now with the Government's assessment of the cost of compliance if the Berry Bill—[HON. MEMBERS: "Measure."]—if the Berry proposals had been accepted. The £17 billion that has been quoted is wildly unrealistic. It assumes that my hon. Friend the Member for Kingswood and my right hon. Friend the Member for Wythenshawe wanted the legislation implemented, with full compliance, from day one when that was certainly not the case. I believe that there is also an element of double costing in the Government's assessment as they have already made available £2 million per annum for the private sector through the new access to work scheme. I do not think that they took account of that in their calculations. I also do not believe that they have made full and effective assessments of the benefits to this country.

During the debates in the House there has been some discussion about the terminology that we should use to describe disabled people. I always felt that we should use the term that disabled people themselves wish to be used. I am pleased that we used the term "disabled people" rather than "people with disabilities". The term "people with disabilities" suggests the concept that a person has a problem and we cannot do anything about it. If we use the concept "disabled people" we can perhaps consider what society does to people. Society can close doors or it can open them. Society can disable people or it can enable them. I believe there is time in this Parliament to reconsider the civil rights of disabled people and to ensure that we are an enabling rather than a disabling Parliament.

2.15 pm

Mr. Roger Berry (Kingswood): I shall be brief so that the Minister can speak for 10 minutes. He is not used to such brevity, so I shall do my best to assist him.

For a reason which escapes me, in the past six months we have had many debates on civil rights and disabled people. Both in the Chamber and outside, every time we have debated the need for disabled people to have their civil rights, disabled people and their supporters have always won the arguments. Every vote on the issue has been won without any opposition whatever. At the end of the day, one thing remains clear. Once and for all we have seen a clear recognition by everyone that the time will come very soon when disabled people will be guaranteed their civil rights. Nobody now doubts that. That has been one of the features of the debates over the past few months; all the arguments have been won.

The second feature of the debates on civil rights over the past few months has been disabled people's feeling that the House has not treated their concerns properly and with due respect. Numerous devices have been employed against those campaigning for civil rights for disabled people. I shall not describe those devices now. They are well known, and it is clear who has been responsible for them. The feelings of disabled people, too, are a matter of record.

The one major argument against ensuring that disabled people have their civil rights relies on the costs. My hon. Friend the Member for Woolwich (Mr. Austin-Walker) referred to that argument. Indeed, it is the only argument left. Only two days ago the Prime Minister said that the Bill to ensure civil rights for disabled people would

"impose costs of £17 billion on private industry".—[*Official Report*, 24 May 1994; Vol. 244, c. 180.]

That is not even what the Government's own document says, and it is a further example of the House being deliberately misled. The Government's document refers to time scales for implementing the legislation which are not being suggested by disabled people or by their supporters in the Chamber. A totally spurious time scale has been invented to give rise to totally spurious cost estimates. Everyone in the House knows that.

The inevitability of measures to secure civil rights for disabled people is recognised. There is still an opportunity this Session for that recognition to be translated into legislation. The Government still have an opportunity to rescue what, to date, has been a rather shabby performance on this matter.

2.19 pm

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): I congratulate the hon. Member for Woolwich (Mr. Austin-Walker) on his good fortune in securing time, albeit brief, once more to help to keep what all of us who have been involved in the issue over the years recognise as an important matter high on the political agenda. Some people have come somewhat lately to the matter and may have used it for their own particular purposes—

Mr. D. N. Campbell-Savours (Workington): Rubbish.

Mr. Scott: The hon. Member for Woolwich, who initiated the debate this afternoon, has a long-standing interest and commitment in this area. He has always taken a most serious interest in the subject and he has taken part in our debates. I recognise his contribution—*[Interruption.]* If the hon. Member for Workington (Mr. Campbell-Savours) wishes to intervene, I am perfectly happy to give way to him.

Mr. Campbell-Savours: The Minister has had a long-standing interest in these matters, but he let the side down by deliberately misleading the House and the country—

Mr. Deputy Speaker: Order. The hon. Gentleman is an experienced—

Mr. Campbell-Savours: The Minister should be ashamed of himself—

Mr. Deputy Speaker: Order. The hon. Gentleman is an experienced Member of the House and he has already heard—

Mr. Campbell-Savours: The Minister has no honour—

Mr. Deputy Speaker: Order. That is the last time that I shall say "Order". The hon. Gentleman has long experience in the House and he knows full well that his intervention was out of order.

Mr. Scott: I was paying a sincere and well-deserved tribute to the hon. Member for Woolwich, who has played such a valuable part in our processes. He was a valuable member of the Standing Committee.

For seven years, as Minister for Social Security and Disabled People, I have sought, as I hope will be tolerably widely recognised in the House, to voice and to demonstrate the Government's commitment to the principle of seeking to eliminate discrimination against disabled people and to widen the opportunities available to them fully to participate in our national life. My personal belief in the work that needs to be done remains as strong as ever. My right hon. Friend the Prime Minister reaffirmed the Government's commitment to that principle when he said recently that the Government

"share the aim of eliminating discrimination against disabled people."—[*Official Report*, 12 April 1994; Vol. 241, c. 15.]

Recent events, welcome in some aspects, have raised the profile, to use a modern expression, and the rightful expectations of disabled people in our society. They have probably enjoyed rather more coverage in our national media in recent days than they have ever achieved before. I sometimes wonder how many of those who have uttered so strongly and firmly on the issue have employment or access practices that reflect today's needs for disabled people.

What I have done and what I shall continue to do, whatever legislation we have, as Minister with responsibility for disabled people is to seek to raise the profile of the issue and to ensure that more and more people take account of the needs and legitimate aspirations of disabled people.

I deny categorically that the Government have ever sought to mislead people about their attitude towards the approach taken recently in the House by the hon. Member for Kingswood (Mr. Berry)—

Mr. Deputy Speaker: Order. I hope that the Minister will not stray on to the Civil Rights (Disabled Persons) Bill, which has been the subject of controversy recently. I have already made my point clear. I hope that the Minister will bear that in mind.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Mr. Deputy Speaker. I ask you to take into account on this matter the words following the passage which you quoted from page 320 of "Erskine May". It says:

[Mr. Harry Barnes]

"In general, matters which would entail legislation must not be discussed on a motion for the Adjournment; but under Standing Order No 29 Mr. Speaker may permit such incidental reference to legislative action as he may consider relevant to any matter"—

Mr. Deputy Speaker: Order. That is exactly what the Deputy Speaker has been doing.

Mr. Scott: Certainly, I was not seeking to stray into the merits or otherwise of the Civil Rights (Disabled Persons) Bill, but was talking about the approach advanced by Opposition Members. As I have said on a number of occasions, and I shall reiterate what I have just said, we share the overall aim of eliminating discrimination against disabled people. I unashamedly and fiercely defend the record of the Government, because of the significant achievements that have been made over the past 15 years by the Government, and in the private sector with the encouragement of the Government, to eliminate discrimination, to reduce discrimination against disabled people and to expand the opportunities available to them. Frankly, although I well understand the narrow political reasons that lead Opposition Members to take such an attitude, I think that it is rather churlish of them—*[Interruption.]*—rather churlish of them to dismiss the progress that has already been made.

We have made a number advances in the field of employment, the most recent being the access to work announcement of my right hon.—

Mr. William McKelvey (Kilmarnock and Loudoun): On a point of order, Mr. Deputy Speaker. Is it in order, during this debate, for the Minister to attempt to rescue a reputation that is in tatters over this very matter?

Mr. Deputy Speaker: That is not a point of order for the Chair.

Mr. Scott: I believe that the announcement of my right hon. Friend the Secretary of State is a really positive step in the right direction to remove the many barriers that we all acknowledge face disabled people in their efforts to obtain employment in this country. We all know that the quota system, which has been in existence for many decades, is not an appropriate or effective way in which to achieve equality of opportunity or to remove discrimination against disabled people.

Mr. Alfred Morris: What pride does the Minister take in the fact that the Department of Health employs only 0.7 per cent. of disabled people, the Home Office employs 0.3 per cent., or a tenth of the 3 per cent. quota, and that there is not a single disabled employee in No. 10 Downing street?

Mr. Scott: If I may say so, the right hon. Gentleman should know better, because he was the first person to hold the job that I hold at the moment. He knows that failure to meet those quotas or failure to prosecute those who fail to meet them was the same under previous Administrations. We all know the fact about the quota is that there are not sufficient registered disabled people—the number to which the percentage figure applies—for employers to match. In my Department, the Department of Social Security, as I have said to the House on previous occasions, 1.5 per cent. of our employees are registered as disabled, but 5 per cent. of our employees identify themselves as being disabled in one way or another. I believe that that is a more realistic measure of the willingness of Government as a whole to employ and give opportunities to disabled people. We have already said that we shall continue to build on the work that the Government have already done in that important area. I recognise its importance and its sensitivity. We need to ensure that it is taken forward at a pace.

We have already announced our proposals—*[Interruption.]*—to consult widely in the following key areas affecting the quality of life of disabled people in our society. The first area is the removal of discrimination in employment. We know the importance of that, but anybody who has had my responsibilities or has taken an interest in the matter knows that employment for many disabled people is not a realistic ambition. More and more will be able to avail themselves of that opportunity as a result of technological advances and steps that the Government are considering taking and will be consulting on in the near future.

Employment is a key area, but access to goods and services is also very important for those who experience disabilities in our society and that, too, is a matter on which we shall be consulting. We shall also be considering the possibility of codes of practice for the financial services industry where I know—*[Interruption.]*—I know that disabled people have to face non-actuarially based discrimination in insurance, banking and so on. That is another area that we need to tackle.

We also know about the impact of building regulations on the lives of disabled people and on their access to buildings, whether domestic or non-domestic. We need to consult on the possibility of creating a new advisory body to discuss those matters and investigate matters of discrimination against disabled people. That is the range of issues on which the Government are determined to consult in the coming months. At the end of that consultation process, the Government will consider the best way forward. I believe that that is much more sensible, realistic, practicable and affordable than the concepts embraced in the proposed legislation that was recently discussed.

Local Government Reorganisation (Humberside)

2.30 pm

Mr. James Cran (Beverley): It gives me a little satisfaction that I may be the Back Bencher who gets in the last word before we rise for the recess, given the amount of hot air generated this morning. I am bound to say that the last debate was not hot air. It also gives me some satisfaction that I voted for the Civil Rights (Disabled Persons) Bill on Second Reading. I am even more satisfied that the Government intend to make their own proposals.

The issue that I wish to raise is a national issue that affects my constituents. It is local government reform on Humberside. My constituents and I are worried about the issue and the amount of opposition to local government reform which is clearly developing in some quarters. That opposition does not form the majority of opinion, but vocal objection is beginning to develop against reform. I see it in terms of press speculation, propaganda from local authority associations, or at least some of them, and the attempts to seek judicial review by some who wish to see the status quo maintained.

The question that occurs to my constituents and to me is how that opposition will affect Humberside, particularly the north bank of the Humber, where my constituency happens to be. In this short debate, I simply want to make it clear to my hon. Friend the Minister that we in north Humberside are enthusiastic about reform of the status quo. In other words, we wish to see an end of Humberside county council. Coincidentally, I received a letter from one of my councillors, Mrs. Betty Eaton, who wrote, unbeknown to me, to my right hon. Friend the Prime Minister yesterday asking again that he get on with the reform of local government in Humberside. That is legitimate because it is against the background of a long campaign in my constituency and area to re-establish the ridings of Yorkshire—for our area, the east riding. That obviously involves the abolition of Humberside county council.

I am sorry to say that Humberside county council was imposed on us by a Conservative Government back in the early 1970s. That was a considerable mistake. That is evidenced, if by nothing else, by the fact that almost the day after the decision was announced, a campaign began to have Humberside abolished. That was not a very good start. The result is that in 20 years or so no loyalty or, to be fair, little loyalty has built up between the electorate and Humberside county council.

Few of my constituents are able to identify with Humberside county council. They seem to think that the borough of Beverley delivers all the services. That is evidenced by the letters. It suggests that the borough of Beverley, to take that example, has achieved a bond between it and its people whereas Humberside county council has not. There were those who believed back in 1987—I was one of them—that a change in the name of the county council was all that was needed to save it. We believed that all that was needed was to change the name from Humberside county council to another name such as East Yorkshire and North Lincolnshire county council. That might, at the time, have satisfied those who wanted north of the Humber to return to the ridings, but I do not believe that such a change would satisfy public opinion now, at least in my constituency.

Mr. Elliot Morley (Glanford and Scunthorpe): I am grateful to the hon. Gentleman for giving way to me during his debate. He has made the case fairly on behalf of his constituents, but there is a feeling among a large number of people in the county that many high quality services, such as the hearing impaired service which has been very successful, are under threat from such changes. Many people have changed their opinion again in the course of the debate as they have looked at the issues. They are now beginning to question whether reorganisation is worth the cost, inconvenience and threat to high quality services. I question whether it is worth going through the change all over again after the disruptive change of 1974, which the hon. Gentleman rightly described.

Mr. Cran: The hon. Gentleman has his own view, but his fears are not reflected in the views of my constituents who write to me on the subject. All psephological evidence on the subject shows that what I have been saying to the House and my hon. Friend the Minister is true, and that the bond of loyalty between the people of Humberside and the county council simply does not exist. That is why the county council is fighting a vigorous—I do not think that it will be effective—rearguard action, the latest part of which is the attempt at a judicial review.

I understand that leave to bring in a judicial review has been refused and an appeal is pending—perhaps the Minister can confirm that. The mere fact that a judicial review is being sought does not reflect popular public opinion in my constituency or, I would venture to say, the whole of the north bank of the Humber. Therefore, if I get nothing more out of my hon. Friend the Minister this afternoon, my constituents and I would like him at least to restate the Government's commitment to reform on the north bank of the Humber.

Before the Local Government Commission put forward its proposals I was in favour of single-tier, all-purpose local government, based on the district, as that was what all my experience told me would be best. It would be small enough to attract the sort of loyalty that a local authority requires to get consent. However, the commission did not come up with that, but with what will be, in effect, an East Yorkshire county council. As a result, there has been a bit of difficulty—I put it no higher than that—with some of the districts in considering that proposal, but there has been no profound objection.

I am sure that the Minister already knows that the districts are unofficially beginning to work together to consider the practicalities of how they should be organised when the change is implemented. Therefore, I underline the fact that I have no doubt that the districts, and all of us who will be affected by the change when it comes—I hope that it does—will make the recommendations work. That should give the Minister some satisfaction when the proposals are brought forward after any judicial review, if it takes place—I do not expect that it will. I am not here to ask my hon. Friend the Minister to get the Secretary of State to give us the decision, which will come in the fullness of time. All that I want the Minister to say is that reform is on its way, irrespective of what may be happening in other parts of the country.

[Mr. Cran]

Why am I emphasising this issue? I could be doing all sorts of things. I could be on my way to my constituency to help win Humberside for the Conservatives in the European election, which is what I expect to happen. I am asking these questions because one hears rumours—admittedly mainly in the press—that the Government are thinking again about the pace of reform. I have given them no credence, but I am providing the Minister with the opportunity to give no credence to the rumour that Government zeal for reform is waning, that Ministers are not as keen as they were about the reforms that I am talking about and that the status quo would give them fewer problems.

I hope that that is not the prevailing Government view. Judging from my hon. Friend's reaction to one or two of my remarks, I think that I now know what his and the Government's views are. If it were any different, my constituents would feel let down. They rightly feel that they have been promised reform and that is what they want.

To use a cricketing metaphor, if the Government want some runs on the board, we can provide them in Humberside. Reform does not run counter to the Government's philosophy over the local government review. As I recall it, that philosophy was that there should be no blanket solutions or iron rigidity and that what is agreed for the south-west of England should not be forced on us in Humberside. We need flexible solutions. If there is to be no reform in the south-west, it should not mean no reform in my constituency.

I need clarification from the Minister this afternoon so that he can reassure me and my constituents. He could best do so in the following way. First, he could make a clear statement that local government reform will come about in Humberside. He and I both know that there is the complication posed by the judicial review. If he cannot answer this now, perhaps he will do so in a letter, but if the review succeeds by some mischance—I do not think that it will—what will be the Government's strategy for my constituency?

Secondly, will my hon. Friend say something about the timetable and reconfirm what we all understand to be the case—that in May 1995 we expect shadow elections for the new authority, whatever it is to be, which would lead to the starting date for the new council or councils in April 1996? I want to know that we are going to achieve that target, if he thinks that it is the correct one. Or does he anticipate any slippage, perhaps not due to the judicial review, but to any other consideration that none of us knows about?

Finally, will the Government introduce separate parliamentary orders? He may not have the information, but perhaps he can write to me. I am aware of the written answer, which stated:

"we shall decide on handling at the time, taking into account the pressure of parliamentary business."—[*Official Report*, 3 May 1994; Vol. 242, c. *444*.]

What would be the effect if a contentious reorganisation—I guess that there is none—were coupled with a non-contentious change, which is what I expect in the case of Humberside?

Could my hon. Friend also tell me a little about the timetable? I note that the implementing order for Cleveland is likely to be laid in June and made in July—at least, that was the position as I understood it at the last time of looking. What is the position for Humberside?

That is all I want to say. I merely thank my hon. Friend the Minister and everybody else for listening to me—all two of them plus the Minister on the Front Bench. My hon. Friend the Minister should bear in mind the fact that we are enthusiastic about his proposals and we want him to get on with them without any delay.

2.44 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I am grateful to my hon. Friend the Member for Beverley (Mr. Cran) for giving me the opportunity to give a further report to the House on our progress in undertaking the review of the structure of local government in England and for providing me with the opportunity to make it absolutely clear that we are on timetable. The review is on track.

Naturally, my hon. Friend has taken the opportunity to make clear his views about the review in relation to Humberside. I know that he understands that it is not possible today to provide him with a definitive answer to his questions about the future structure of local government in Humberside. We are giving careful consideration to the Local Government Commission's recommendations for the review area, which includes Humberside, and also two other large county areas, North Yorkshire and Lincolnshire.

As my hon. Friend said, the commission recommended that the county of Humberside and the county council should be abolished and replaced with four unitary authorities. It is clear that there is widespread support for that recommendation throughout the Humberside area. The recommendation does not stand alone. The commission has provided us with a complex series of recommendations covering the future of all three of those counties and the 23 district councils within their areas. As my hon. Friend would expect, the interrelationship between the recommendations needs to be carefully considered. That notwithstanding, I am sure that my hon. Friend and his constituents will be reassured to know that I do not expect that it will be too long before we can announce our decisions on Humberside.

Given that I cannot say a great deal about the specific detail on Humberside, it will, I hope, be helpful to the House if I speak briefly about the commission's progress on the review generally, and helpful if I restated the principles that lie behind our proposals for the reorganisation of local government. I emphasise first that we are not seeking to impose from the centre a blueprint on local government. Through the review process, we are seeking to provide local government and local people within each review area with an opportunity to consider the best means of delivering effective and convenient local government, which at the same time recognises an individual community's particular identity and needs.

We believe that there is a strong case to be made for unitary authorities. In a unitary authority, the public knows who is responsible for the delivery of local services. That clarity of responsibility for provision enhances accountability. People need to know who is responsible for what and that makes the ballot more effective when services are delivered well or, indeed, if they are delivered badly. The voters' message will be clearer if there is no confusion as to who in local government is responsible. Also unitary authorities can accommodate and represent strong community identities. If people identify with their council, they will be more interested in what their council is doing.

There can also be substantial savings in costs when only one authority is responsible for providing a complete range of services, because of the lack of duplication and the consequent reduction in bureaucracy. That can also result in the improvement of those services. If all services are under one roof there is tremendous scope for co-ordinating them from a consumer standpoint. It will be possible to bring together housing and social service issues, so that the person who has needs that cross those two responsibilities is not shunted from one set of officials to another or from one office to another.

One can co-ordinate development control and transport issues, which will be much better from the citizen's point of view.

Mr. Morley: I thank the Minister for giving way. I wish to raise just two quick points. First, does the Minister accept that there is a great deal of concern in Humberside and among my constituents about issues that are not resolved, such as specialist education services and specialist social services, which will be difficult for unitary authorities to maintain? I know that joint arrangements have been mentioned, but in a letter from the Minister for Local Government and Planning all that was said was that he hoped that local authorities would get together on a voluntary basis and provide those services.

That is not much of an assurance to people who are concerned about a threat to the high quality services that are provided by Humberside and supported by a great many people. Even though there is a difference of opinion, I hope that the Minister will seriously take into account the representations of those who are opposed to the changes.

Mr. Baldry: Although I appreciate the hon. Gentleman's concerns, I find them strange. Many of his colleagues who represent constituencies with unitary authority areas do not experience problems of co-ordination on specialist education or whatever. It is therefore surprising that the hon. Gentleman raises that as a point of concern.

Unitary authorities can enhance accountability and provide a desirable balance between efficiency and access. I thought that we had achieved a strong measure of cross-party support for that approach. That was evident in the recent debate on the order establishing a unitary authority on the Isle of Wight—the first order under reorganisation to come before the House. The hon. Member for Newcastle upon Tyne, North (Mr. Henderson), who speaks for the Labour party on local government matters, said:

> "I make it absolutely clear that the Opposition firmly support the principle of the establishment of unitary authorities in England. We have not been converted recently to that: we have believed in it for a long time, and even before the 1974 reorganisation of local government. We support the principle because we believe that boundaries that can be established on a unitary basis in many instances better reflect the communities that the local authorities based in those boundaries seek to represent. There is a sense of identity that is sometimes missing from the structure of local government in some parts of the country.
>
> The Opposition have also supported the principle of unitary authorities because an effective and efficient unitary authority can avoid duplication—of which, as many hon. Members know, there are many instances in local government. On planning, for example, district and county councils have to liaise and there is sometimes a certain amount of difficulty in understanding who has responsibility for what. On recreation and the link with school sports, there can often be different responsibilities for providing similar facilities . . .
>
> One strong argument in favour of unitary authorities is that the public know who is responsible for issues affecting them and administered by local government. I have always found that helpful in my own local authority. The public know that if the matter is one dealt with by local government . . . they do not have to determine whether it is a district or county council issue. Those arguments have long been held by the Opposition in supporting unitary councils."—[*Official Report*, 18 April 1994; Vol. 241, c. 690.]

There is clearly broad cross-party support for what we are seeking to achieve.

I shall repeat something I have said often before. We are determined that transitional costs will not fall to the council tax payer. We expect local government reorganisation to be worth while and cost-effective over time. We expect substantial and continuing savings in the longer term to follow the commission's reviews. Estimates for the costs and savings for the changes agreed so far—Cleveland and the Isle of Wight—look good. The 1994-95 council taxes in both areas include nothing for transitional costs. They do not think that they will incur transitional costs. However, there will need to be some investment to secure savings in the future. For example, in Cleveland the authorities estimate that the £2 million they may be required to spend on redundancies will secure savings of £1.5 million a year thereafter, in each and every year.

We accept that the review may not always lead to a unitary authority solution—it may well be that in certain circumstances arguments in favour of the status quo will prevail and the two-tier system will be retained. It is, of course, in the first instance for the commission to recommend what the future structure of local government in any area under review should be.

I come now to the progress that the commission has made to date. We have received its final recommendations on 10 review areas. We have accepted, and this House and another place have passed, orders implementing the commission's recommendations for the Isle of Wight—one unitary. We have also accepted its recommendations for Cleveland—four unitaries. However, we have found it necessary to refer back to the commission for further consideration its recommendations for Gloucestershire, Derbyshire and Durham. As I have said, we shall be announcing our decisions on the commission's outstanding recommendations—including those for Humberside—in due course.

I am sure that the House will agree that it is in everyone's interest for uncertainty about the review to last for as short a time as possible. Inevitably, when we announced the acceleration of the commission's review timetable last autumn, scepticism was expressed in some quarters about whether the revised targets could be met. I am pleased to be able to confirm that all the local authorities in the first phase had made their initial representations by the due date—8 April—and that the commission is now preparing its draft reports on the areas involved. I am confident that reports on most areas will be published by early June.

Success in meeting the timetable has depended to a great extent on the willingness of local authorities to co-operate with each other in designing future structural arrangements that meet local needs. I would expect the commission to reflect that local consensus in its recommendations to us. In areas where consensus has not been achieved, I very much hope that the review process

[Mr. Baldry]

will provide an impetus for authorities to get together: only if local authorities and local people get together can we be confident that local wishes are being addressed and will be met.

My hon. Friend the Member for Beverley explained that his constituents, who have welcomed the proposals for the abolition of Humberside county council, feared that the review of the structure of local government might in some way be abandoned, or that its momentum had somehow faltered. Let me make it clear that the review of the structure of local government in England is on time and on track, and we are determined for it to stay on time and on track. We are determined to complete the task fully, thoroughly and expeditiously, to the benefit of all concerned. If we had intended to bale out of the review, the time to do so would have been about a year ago. It would not have been now—and it certainly will not be now, or at any time in the future.

As I have explained, the review is on course, the commission is on schedule and the timetable is being adhered to. The fact that a number of councils have chosen to seek judicial review of the commission's recommendations has meant that the short-term timetable has needed to be amended—nothing more. Ultimately, what matters is our intention that in May 1997 the last of the new authorities will assume their full responsibilities, and we are still well on target to reach that date.

My hon. Friend asked what we would do if the court reached a certain decision. We can only trust in the court's good judgment; certainly, it is impossible to anticipate its decision. We are confident, however, that all the new authorities will be able to assume their full responsibilities by May 1997, and, as I have said, we are well on target and determined to meet that deadline.

This is the last debate before the Whitsun recess. Like my hon. Friend, I suspect that it is less a recess than an adjournment to enable us all to help campaign in the European elections. Those elections will be as important to the people of Humberside in the immediate future as the reorganisation of local government.

The elections on 9 June will present the people of Humberside, and those elsewhere, with a straightforward choice between two types of Europe. There is the Conservative choice of a thriving, open, deregulated and decentralised Europe where opportunities are grasped, trade is encouraged and jobs are created—a Europe where nation states work more effectively together to solve all the problems that they share, but where individual nation states retain responsibility for most areas of policy.

Then there is the Lib-Lab vision of Europe, which is very different. Both parties are signed up to more controls, more regulations and new costs and burdens for employers. Just when Britain is showing the way to economic recovery and shrinking dole queues, Labour and the Liberals are proposing a charter for job destruction on Humberside and elsewhere. Instead of making Europe less remote and more accountable to the citizens of Humberside and elsewhere, they are proposing to centralise decision making in Brussels by signing away Britain's national veto.

I suspect that that is not what people in Humberside want, or what the British people want. We shall make every effort, therefore, to spell out the facts between now and 9 June. The British people want a very different sort of Europe. They want a European Parliament that uses its powers to deliver benefits to ordinary people—such benefits as a real single market, a crackdown on European Community fraud and better control of the Brussels Commission. It means a strong Britain in a strong Europe. That is the choice on 9 June; for Britain's sake and for Europe's sake, we are determined to make it a Conservative choice.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock till Tuesday 14th June, pursuant to the Resolution [19 May].

House of Commons

Tuesday 14 June 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

WRIT ISSUED DURING THE ADJOURNMENT

Madam Speaker acquainted the House that she had issued during the Adjournment a warrant for a new Writ for the borough constituency of Monklands, East in the room of the right hon. John Smith, QC, deceased.

Oral Answers to Questions

EDUCATION

Student Loans

1. **Mr. Fabricant:** To ask the Secretary of State for Education what analysis his Department has made of the effects of the introduction of the student loan scheme on the uptake of student places in institutions of higher education.

The Parliamentary Under-Secretary of State for Further and Higher Education (Mr. Tim Boswell): Student loans were introduced in September 1990 to support the Government's plans for the expansion of higher education. In the current academic year, a record proportion of young people have found places in higher education. The current student support arrangements, including the availability of student loans, have made this possible.

Mr. Fabricant: Does my hon. Friend recall that when he and I were at university—not together, Madam Speaker—we both used to take loans from banks and they were certainly not on such agreeable terms as those currently available? Does he also recall that just six or nine months ago Labour Members were saying that the student loan scheme would mean that students would not apply for higher education? Is that not another example of the Opposition's scare tactics?

Mr. Boswell: I very much agree with my hon. Friend. Student loans offer excellent value for money; they are merely tied to the rate of inflation and do not have to be repaid unless people are earning something like £14,000 a year. There is no evidence whatever of any decline in participation in higher education as we now have the highest number of students on record.

Mr. Wigley: Whatever the backgrounds of the Minister and the hon. Member for Mid-Staffordshire (Mr. Fabricant), and whether or not they could afford loans and came from a culture willing to take up such loans, is the Minister aware that thousands of people come from homes where there is unemployment or fear of unemployment or where people are just afraid of taking up a loan? Whatever his experience, mine is that people are not going to universities when they could, because they cannot afford to do so.

Mr. Boswell: It is interesting to note that last autumn's student income and expenditure survey showed that for the first time the participation of people from comparatively less advantaged social groups exceeded 50 per cent. of the total in higher education. That gives the lie to any suggestion that our policies are exclusive or stop students choosing to study.

Mr. Bryan Davies: Will the Minister confirm the statement of the chief executive of the Higher Education Funding Council for England that funding for teaching will be reduced by 14 per cent. over the next three years if present trends continue? How can students taking out increasingly expensive loans expect high-quality higher education in those circumstances?

Mr. Boswell: The quality procedures that the Government have put in place, alongside those that the higher education institutions have introduced, guarantee the highest possible standards of education in our universities and colleges. The Government have increased real spending on higher education by approximately 20 per cent. over the past five years, they have increased real spending by 2.6 per cent. in the current year, and they have provided for an increased capital programme of 20 per cent. extra in the next three years. That shows that we mean business in relation to delivering higher education.

Mr. John Marshall: Will my hon. Friend confirm that the system of student support in this country is the most generous anywhere in the world? Will he also note that the Labour party has still to say what it would do to replace student loans?

Mr. Boswell: My hon. Friend is entirely right. It is certainly the most generous system in Europe and many of our students' counterparts in Germany, for example, would give their eye teeth for the support that our students enjoy. We have nothing to be ashamed of in our participation or in the delivery of higher education.

Departmental Publicity

2. **Mr. Enright:** To ask the Secretary of State for Education what sum of money has been spent on publicising the policies and activities of his Department over (a) the last five years and (b) the five-year period prior to that.

Mr. Boswell: In the past five years, the Government have spent £31.6 million on providing information to parents, teachers, school governors and others. From 1984-85 to 1989-90, £4.8 million was spent.

This spending on publicity is currently running at around 0.15 per cent. of the Department's own spending on education.

Mr. Enright: The Minister has said that he is proud of the increased spending on education, but is he proud of the fact that for every £1 spent on publicity when the Government took office £90 is now being spent? Would he not be better advised to spend on real research the millions of pounds that are now put aside instead of trying to justify his petty party-political prejudices by expensive and glossy magazines?

Mr. Boswell: I hope that the hon. Gentleman feels better after getting that off his chest. Any expenditure by Government Departments on publicity is governed by a strict code of practice. We believe that it is an important part of the information revolution to give real information to parents, as we did in our parents charters this morning. Yes, it is a significant amount of money, but it is interesting to note that it is only half of that which we are still giving in grant to, for example, the inner London councils following the end of the Inner London education authority. It is a trivial amount in comparison with the total spending on education.

Madam Speaker: May we have briefer answers, please?

Mr. Pawsey: I hope that my hon. Friend will disregard the ill-considered comments of the hon. Member for Hemsworth (Mr. Enright). If the Government's reforms were not publicised, would not the Opposition be the first to criticise us for seeking to introduce them by stealth?

Mr. Boswell: The answer to my hon. Friend is yes and yes. It is for parents to decide, on the strength of the information that we provide, whether or not our reforms are well conceived.

Mr. Don Foster: In spending all this money on advertising, does the Minister look for value for money? Does he agree that it was not value for money to spend £200,000 of taxpayers' money advertising grant-maintained status when, following the advertisements—this information is based on figures supplied by his own Department—only one hundredth of 1 per cent. of the people who saw them responded by requesting further information and the number of schools that balloted yes for grant-maintained status declined by 20 per cent. following those advertisements?

Mr. Boswell: There are a number of excellent grant-maintained schools functioning in the hon. Gentleman's part of the world; perhaps that had something to do with the disappointment that he experienced at the weekend. The total expenditure is 26p per pupil on our advisory and publicity campaign in relation to grant-maintained status. That, along with other initiatives, is money very well spent.

Mr. Dunn: Is it possible for some public money to be set aside to create a mechanism whereby the Opposition spokesman on education could be allowed, forced or intimidated into revealing their policies, given that the hon. Member for Dewsbury (Mrs. Taylor) does not reply to letters on aspects of her party's policy?

Mr. Boswell: That is an interesting suggestion and one which I am prepared to discuss with my right hon. Friend, but to judge by the responses to date there would be a very heavy bill indeed for remedial education on that side of the House.

Mrs. Ann Taylor: Will the Minister take this opportunity to answer the original question asked by my hon. Friend the Member for Hemsworth (Mr. Enright) and confirm that Government figures show that the Department for Education is now spending £90 on publicity for every £1 that was spent previously? Has any other aspect of Government spending increased by 9,000 per cent. since 1979? Is it not a sad reflection on the two years during which the Secretary of State has been in his present position that his main achievement has been to waste a record amount of taxpayers' money on self-publicity?

Mr. Boswell: On the contrary—my right hon. Friend has spent taxpayers' money wisely to advise parents and citizens at large of the merits of the Government's policy. It would perhaps be to the point if the Opposition parties were to provide an indication of their policies. Good policies require good information to be given to parents so that parents can benefit from what is being achieved.

Standard Spending Assessment, Hereford and Worcester

3. **Mr. Luff:** To ask the Secretary of State for Education if he will make a statement on the level of the education component of the standard spending assessment for Hereford and Worcester county council.

The Parliamentary Under-Secretary of State for Education (Mr. Robin Squire): The increase in the Hereford and Worcester education standard spending assessment is higher than average. Allowing for changes of function, this year's education SSA is 3.2 per cent. higher than last year's.

Mr. Luff: Will my hon. Friend confirm that that generous settlement, which is well above the rate of inflation, could have been used by the Lib-Lab pact at county hall to do two things that they shamefully failed to do? First, it could have funded the teachers' pay award, preventing the need for widespread redundancies in schools in my constituency; secondly, it could have been used to carry on paying discretionary awards, preventing much heartbreak and hardship among young people in my constituency.

Mr. Squire: The House has heard my hon. Friend's wise words. He will know that it is a responsibility of all education authorities to determine their own priorities, but it is self-evident that his particular county council has had an increase in its standard spending assessment which is higher than the amount needed to fund the teachers' pay award. Therefore, it must account to his constituents for the way in which it has chosen to disperse the assessment, which on the face of it sounds rather eccentric.

Mr. Foulkes: Will the Minister join me in congratulating Hereford and Worcester council on its manifestly good adult education because, like 70 per cent. of the United Kingdom, its people returned a Labour Member of the European Parliament in the past week?

Mr. Squire: If I may bring the debate back to education issues, the question that I was asked originally, and which I am happy to repeat, is how education authorities of local councils generally determine their priorities. The party of the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) once talked about socialism being the language of priorities, but in the case highlighted by my hon. Friend the Member for Worcester (Mr. Luff) the priorities seem rather strange.

Pre-school Education

4. **Mr. Barnes:** To ask the Secretary of State for Education what plans he has to increase the number of three and four-year-olds in pre-school education; and if he will make a statement.

Mr. Robin Squire: My hon. Friend has made it clear that we are looking at possible ways to extend the opportunities for children under five, as resources allow and within our policy of promoting choice, diversity, quality and cost-effectiveness. We shall announce our conclusions when we are ready to do so.

Mr. Barnes: More than 20 years ago, when Lady Thatcher was Secretary of State for Education, she introduced a measure which became known as the kiddies charter and there was supposed to be an extension of nursery provision. The Government, which was partly her Government over the past 15 years, have failed abysmally to introduce measures to extend nursery provision. Is that not giving inertia a bad name?

Mr. Squire: I resent and resist the hon. Gentleman's comments. There has been significant progress in provision for the under-fives, including nursery education, over the past 15 years. The hon. Gentleman has to be very clear. In the language of today, he and his party must indicate where they intend to find money for a more rapid expansion of nursery education than we are likely to produce under the proposals that we are currently considering.

Mr. Harry Greenway: Is my hon. Friend aware that the outgoing Ealing Conservative council increased the number of nursery places in Ealing by 400, at a cost of an extra £1 million in the past four years, to 3,870? Is he also aware that the Labour party promised a nursery place for all children under five in Ealing if it won the local election, which it did? Now it is refusing to do that, although it saw the books before it made the promise, to the fury of the parents of Willow Tree primary school and many others. It does not keep its promises.

Mr. Squire: I am delighted that my hon. Friend has confirmed two important points: first, the very good record of a number of Conservative councils in that particular area; secondly, directly echoing the points that I made to the hon. Member for Derbyshire, North-East (Mr. Barnes), whether or not the Labour party promises to do things before it gets into power, when it gets into power it suddenly seems to have an attack of amnesia.

Mrs. Ann Taylor: Does the Minister accept that we shall never have equality of opportunity for our children until we have universal nursery education? Why cannot Ministers give any lead in providing nursery education? Why is it that parents who live in a Labour council area have three times the chance of a nursery place for their children that they have if they live in a Conservative council area? Is not the lack of progress and the lack of commitment on the part of Government another reason why parents should have no confidence in the Secretary of State?

Mr. Squire: One of the many differences between the Labour party and the Government is that we are keen to see services expand as and when resources are available. Secondly, we shall be guided by choice and diversity; we do not believe that one unique form of state-funded provision is in all possible circumstances the right answer either for the children or for their parents.

Special Educational Needs

5. **Dr. Liam Fox:** To ask the Secretary of State for Education what effect grant-maintained status has had on the provision of special needs education spending.

The Parliamentary Under-Secretary of State for Schools (Mr. Eric Forth): With grant-maintained status, schools have greater flexibility to provide for all pupils, including those with special educational needs, having regard " as all schools must " to the new special educational needs code of practice.

Dr. Fox: Will my hon. Friend perhaps take time to point that out to the Luddite and pernicious National Union of Teachers which is trying to spread fear among parents of special needs children? Will my hon. Friend point that out because the parents of those children have been frightened by the propaganda put out by the NUT to try to persuade them to vote against opting out?

Mr. Forth: My hon. Friend makes an important point. The sad truth is that the NUT is hopelessly out of step with virtually everyone these days, not least the other teaching unions. The task before us of trying to persuade the NUT and its membership of the value of what we are doing, not least in respect of special educational needs, is monumental but we shall not shrink from it. I am confident that grant-maintained schools are in a very strong position to join other schools in making increasingly good provision for special educational needs based on our widely welcomed code of practice. I have great confidence that that will be the case from this September forward.

Mr. Win Griffiths: The Minister completely failed to answer his hon. Friend's question. Will he admit that there have been cases, such as that of Highams Park school in Waltham Forest which, on becoming grant maintained a few years ago, refused to carry on educating children who were blind or partially sighted? Another local authority school took over that responsibility without demanding extra funding. Is it not true that, time and again, there are cases of exclusions from GM schools of children with learning difficulties and behavioural problems which then have to be handled by maintained schools? The Government have said many fine things in the code of practice, but they are failing to provide the money to do the job properly.

Mr. Forth: I regret that the hon. Gentleman has, in asking that question, departed from his usual very high standards of integrity. The fact is that none of what the hon. Gentleman says has any relationship to the truth. If he has allegations of the kind that he has made in a general sense today—not least the specific one, which is wrong—I want to hear about them. I am convinced that grant-maintained schools maintain the highest standards of provision for all their pupils, including those with special educational needs. If there are any cases of exclusion from any school on the basis of special educational needs, I hope that the hon. Gentleman will let me have them as we shall want to look into them and take whatever action my right hon. Friend the Secretary of State can take.

Grant-maintained Schools

6. **Mr. Oppenheim:** To ask the Secretary of State for Education what representations he has received from county councils on grant-maintained schools.

The Secretary of State for Education (Mr. John Patten): From time to time, I receive representations from individual county councils and the Association of County Councils; they vary.

Mr. Oppenheim: Is my right hon. Friend aware of the questionnaire that Derbyshire county council sent to GM schools, accompanied by a letter saying that the council was concerned about the performance of those schools now that they are free of council control? Bearing in mind that the county council's deputy leader has been gaoled for fraud and that the chief education officer has just left to sell contracted-out services to grant-maintained schools—both policies that he opposed when he was a Labour councillor —would not the county council be better advised to direct its searching inquiries inwards towards the council itself?

Mr. Patten: I am not responsible in law for what goes on inside Derbyshire county council—I wish I were. I had not heard that the ex-chief education officer of Derbyshire county council had joined the grant-maintained sector; I hope that that is the beginning of a trend. I believe that the leaflet and questionnaire that were circulated, which sought to intimidate the governors of GM schools—men and women who give up their time freely in the evenings—by asking what political parties they belong to, constitute a form of political intimidation which is becoming all too common in Labour areas such as Derbyshire and, for that matter, in Liberal-controlled areas such as Kent.

Mr. Skinner: Is the Minister aware that the parents of children who go to grant-maintained schools and—the great majority in Derbyshire—to local education authority schools are not worried about the issues put forward by the Minister, as was exemplified by the results last Thursday when in the three Derbyshire constituencies Labour voters numbered more than twice the number of Tory voters? The right hon. Gentleman should advise his hon. Friend the Member for Amber Valley (Mr. Oppenheim) to watch his back because he is going next.

Mr. Patten: My hon. Friend needs no advice from the hon. Member for Bolsover (Mr. Skinner). Perhaps the hon. Gentleman, with his background as a grammar school boy and someone who studied at Oxford, might be in a position to give some good advice to Derbyshire county council.

Lady Olga Maitland *rose—[Interruption.]*

Madam Speaker: Order. The House must come to order now. High spirits are one thing, but we are going a bit too far this afternoon.

Lady Olga Maitland: Is my right hon. Friend aware that parents at more than 1,000 schools in England and Wales have voted overwhelmingly in favour of grant-maintained status? Does he agree that, contrary to the Labour party, they are exercising their right of choice?

Mr. Patten: I agree entirely with my hon. Friend. After all, all our universities are grant maintained, all our further education colleges are grant maintained, and all our sixth-form colleges are grant maintained. I look forward to the day when all our schools are grant maintained, too.

7. **Mr. Jamieson:** To ask the Secretary of State for Education how many schools, in the last six months for which figures are available, have held ballots for grant-maintained status; what percentage have opted out; and what were the equivalent figures for the same period last year.

Mr. Jacques Arnold: To ask the Secretary of State for Education if he will make a statement on recent applications by schools for grant-maintained status.

Mr. Robin Squire: In the six months up to and including May, 176 schools held ballots on grant-maintained status and parents at 104 of those voted in favour of self-government. The equivalent figures for the corresponding period last year were 385 and 302 respectively.

In addition to the current total of 928 self-governing schools, 115 more have already been approved for grant-maintained status or have applications in the pipeline.

Mr. Jamieson: Will the Minister note that, due to the rejection by parents of the Government's failed opting-out policies, the target set by the Secretary of State for Education of two thirds of secondary schools being opted out by the end of this Parliament will not be reached until the year 2072? Will he also congratulate the parents at Roskear primary school in Camborne, Cornwall, whose ballot result was announced yesterday? On a very high turnout, 84 per cent. of them voted no.

Mr. Squire: Despite his education background, the hon. Gentleman is labouring under a few misunderstandings. There is no target for opting out schools. The hon. Gentleman tends to overlook the fact that, on average, three quarters of ballots result in a yes vote. More important, with self-governing schools we are seeing an increase in morale, a greater sense of achievement, greater value for money and, above all, more popularity with parents, as will be seen in September when in the main those schools are again over-full.

Mr. Arnold: Has my hon. Friend noticed the decision taken by 60 per cent. of the parents for St. Joseph's school Northfleet to become grant maintained, despite the wicked and misleading campaign of the Lib-Lab-controlled Kent county council which diverted £100,000 of education money to that wicked campaign? Is it not the case that when parents and schools are ready to take 100 per cent. of the decisions and spend 100 per cent. of the education money on their schools, they will do so?

Mr. Squire: My hon. Friend is absolutely right. He speaks with knowledge of what self-government means in schools as there are eight such schools in his constituency; his constituents are fortunate in that respect. It is undoubtedly the case that some local education authorities and Opposition Members are still trying to cling to political power via the control of schools. My right hon. Friend the Secretary of State now has powers under the Education Act 1993 and he will not hesitate to use them if any seriously misleading information is circulated.

Mr. O'Hara: Given the Secretary of State's remarks about the grant-maintained status of universities, colleges and further education colleges, all of which were given that status by legislation, is the Minister suggesting that he looks forward to legislation to force all secondary schools to become grant maintained?

Mr. Squire: That was a good try, but, as the hon. Gentleman is well aware, the impetus for grant-maintained status remains the parental ballot. We believe that it is right to trust parents, whether it leads to a no vote, as the hon. Gentleman said it could, or, indeed—as we may touch on shortly—a yes vote elsewhere. It is up to the parents to decide. My Government and my party have no difficulty with that concept. It is strange that the hon. Gentleman and his party have such difficulty trusting parents.

Mrs. Angela Knight: Will my hon. Friend join me in congratulating the parents, governors, teachers and head teacher of St. John Houghton school in Ilkeston in my constituency who have just balloted successfully to become grant maintained, despite heavy opposition from Derbyshire county council? Will he undertake to ensure that their proposals, which have been submitted to his Department, are scrutinised as quickly as possible and accepted before the end of the current school term so that the school has the whole summer to prepare for the implementation date at the beginning of September?

Madam Speaker: Order. Questions are much too long. Both questions and answers must be much more brisk.

Mr. Squire: I certainly undertake to expedite the proposals on merit when they come in and determine whether the school can join other schools in my hon. Friend's constituency and, indeed, across the country which are finding the benefit of self-government.

Funding, Rotherham

8. **Mr. Denis MacShane:** To ask the Secretary of State for Education if he will visit Rotherham to discuss funding of educational provision.

Mr. Forth: Department for Education officials visited Rotherham local education authority last Friday, 10 June, and discussed a range of education issues, including funding. They have briefed me on those discussions.

Mr. MacShane: Is the Minister aware that at the start of the next school term there will be 1,260 more children at school in Rotherham, but some 112 fewer teachers because of the cuts imposed by his Government? Can he convey to the Secretary of State for Education the great distress of the parents and teachers of Rotherham at the decline in the three Rs in that borough and suggest to the Secretary of State that the new three Rs are reshuffle, resignation—his own—and right now?

Mr. Forth: On reflection, the hon. Gentleman may regret the words that he has uttered because they are obviously an attack on the teachers and schools in his constituency. Every year, we get a ritualistic scare story from Labour Members about cuts in education and in the number of teachers. It has never been true in the past and it is not true this year, either. In a well-run local education authority and in schools which are well run as a result of taking responsible decisions with regard to their budgets, I am confident, and the evidence is, that the standard of teaching can and should increase; if not, people should be accountable through their councillors and governors for what is happening.

Mr. Tony Lloyd: In the event of further education colleges in Rotherham and, indeed, nationwide settling the dispute between college lecturers and college employers on the same basis as in Manchester college of arts and technology, will it be the Government's policy to insist on the holdback of moneys to further education, or will they accept that as a legitimate settlement?

Mr. Forth: I slightly admire the hon. Gentleman's ingenuity, but I do not think that he is entitled to draw the sort of general conclusion from the specific that he is seeking to do. He knows well the new arrangements that have been put in place. If he thought about it, he would understand the sort of benefits that will be available in the further education sector from the new arrangements. As for asking the sort of question that he has, I suggest that he consider retabling the question to my hon. Friend the Parliamentary Under-Secretary of State for Further and Higher Education, who will give him a direct answer.

Student Grants

9. **Mr. McFall:** To ask the Secretary of State for Education what was the value of the student grant in 1979 at current prices; and what is its value in 1994.

Mr. Boswell: The total public resources available to students through the standard rate of grant and full-year student loan for the current academic year is £3,065, of which grant is £2,265. The value of the comparable rate of grant with no loan available for students domiciled in England and Wales in the academic year 1979-80 was £1,287; its value at 1993-94 prices is £3,089.

Mr. McFall: Does not the Minister recognise that the student grant has been cut by one third since 1979 and, with students being worse off by £29.50 a week compared with people in similar circumstances on income support, they are now the poorest of the poor? Is not that a ridiculous situation, both for the Government and for the future of this country?

Mr. Boswell: The hon. Gentleman asserts that students are the "poorest of the poor". It is remarkable that they are in our universities and colleges in record numbers. While no one has ever suggested that students are highly remunerated, they are well able to live and to study on the resources which are made available to them by public funds, and the figures substantiate that.

Mr. Nigel Evans: How many students were in further and higher education in 1979 compared with 1994 and what has been the extra investment in education for young people in this country?

Mr. Boswell: In 1979, approximately one in eight of our young people went to university. The proportion is now just below one in three. That is a huge expansion of which we are very proud.

Mr. John D. Taylor: Why do the Government prefer to give £10 million to encourage students from the Republic of Ireland to attend universities in the United Kingdom, rather than increase grants for United Kingdom students?

Mr. Boswell: The right hon. Gentleman is aware of our obligations under the European Union and the Court's judgment requires us not to discriminate against students from other European Union countries who are studying in our country.

Mr. Forman: Is not it clear that the package of support that is available to students in this country is perfectly adequate and is not deterring increased participation? Is not the priority now to ensure that the standards of higher education are rigorously maintained?

Mr. Boswell: I strongly endorse what my hon. Friend has said from his experience, both in relation to the student support package and the essential importance of ensuring continuing quality in higher education.

Grant-maintained Schools

10. **Mr. Wareing:** To ask the Secretary of State for Education what plans he has to enable schools which have opted out of local authority control to opt back in; and if he will make a statement on the application of the principle of parental choice.

Mr. Robin Squire: We have no plans for such legislation—*[Interruption.]*

Madam Speaker: Order. I know that hon. Members are all happy to see each other again, but the House must come to order.

Mr. Squire: The whole House unreservedly welcomes its latest four-legged addition. Perhaps it would help if I recommenced.

We have no plans for such legislation and we have yet to hear of a self-governing school which wishes to return to local authority control. Parental choice is central to our education reforms and the option of GM status is a very important part of that.

Mr. Wareing: As not all parents have been as wise as those of the children of Croxteth community comprehensive school in my constituency in opposing opting out, and if the Government are really sincere about parental choice, would not it be correct for the Government to allow those parents who become—as inevitably they will—dissatisfied with opting out to ballot to opt back in to local authority control? Is not the Government's policy driven by ideology and not by academic and parental choice?

Mr. Squire: As I made clear earlier, we have no sign of any school which has experienced self-government wishing to switch back. On a management basis, it would not be an ideal way of organising education to have schools criss-crossing back between different forms of control.

The hon. Gentleman mentioned in passing the ballot at Croxteth. I know that he would wish me to mention that in Liverpool yesterday King David primary school voted yes to going grant-maintained.

Mr. Burns: Does my hon. Friend agree that the question that he just answered was particularly odd? He knows, as do the governors and parents of grant-maintained schools, that no school in its right mind which has taken that crucial decision would ever consider opting back in to local education authority control, with all the problems of bureaucracy and restriction that would follow such a decision.

Mr. Squire: My hon. Friend utters wise words. He recognises that the turnout at GM ballots is considerably higher than the turnout even at local elections.

Teacher Training

11. **Ms Estelle Morris:** To ask the Secretary of State for Education when he expects the publication of the results of the pilot scheme on school-based teacher training.

Mr. Patten: I understand that Ofsted intends to publish a report on the first year of the school-centred initial training scheme in spring 1995. I and my ministerial colleagues have been most impressed by the enthusiasm and commitment of the schools involved and the popularity of the scheme with students.

Ms Morris: Is not the pilot project a sham? By the time the results are published, legislation promoting school-centred teacher training will already be on the statute book. Would not a sensible Government have waited for the results of the pilot project before railroading legislation through Parliament?

Mr. Patten: That is entirely wrong and an insult to the schools, many of them state maintained and not grant maintained, which are collaborating cheerfully and vigorously with this important new scheme for training teachers where they are best trained. To my mind, that is at the chalkface—in the classroom. It is at the suggestion of Ofsted that its report should be published next year, in the spring of 1995, so that the first year's experience and the first term's experience of full-time teaching by those excellent students can be examined.

Mr. Evennett: Does my right hon. Friend agree that schools should have a major role in devising and running teacher training? Does he also agree that we need the very best trained teachers to meet the demands of the future?

Mr. Patten: I agree entirely. My hon. Friend sets great store by the Teacher Training Agency once, should Parliament decide, it is set up, under the chairmanship-designate of an extremely distinguished schoolteacher, the high master of Manchester grammar school. Upon appointment, he has suffered the most vicious personal attack from the hon. Member for Dewsbury (Mrs. Taylor) and I think that she will come to rue that attack.

12. **Mr. Pickthall:** To ask the Secretary of State for Education what information he has on the number of schools and the number of students participating in teacher education partnership schemes.

Mr. Robin Squire: All courses of initial teacher training for secondary teachers provided by higher education institutions must be run in partnership with schools from this September, and all courses for primary teachers from September 1996. Some 60,000 students are currently on courses of initial teacher training; information on the number of schools involved is not centrally collected.

Mr. Pickthall: Is the Minister aware of the large number of problems being valiantly tackled by the current partnerships arising from the increasingly school-centred nature of teacher education? Does he agree that until those problems are resolved and the whole system has been assessed, it is sheer folly to pass the current Education Bill, which will extend that mode of education? Is not he convinced, as the Opposition are, that the policy being pursued in that Bill represents hope arising out of prejudice rather than policy based on available data which the Government are ignoring?

Mr. Squire: I reject the hon. Member's allegations. As he well knows from our mutual membership of the Standing Committee considering the Education Bill, the proportion of courses, both currently and in the immediate future, which will be school centred represent a small percentage of total teacher training. I agree with the hon. Member in one respect, because I pay tribute to the importance of the partnerships between higher education and schools that exist and will continue to exist.

Mr. Hawkins: Does my hon. Friend agree that there is enormous demand from parents for better trained teachers so that all teachers come up to the highest standards of the many thousands of good teachers already in schools? One of the saddest things to note has been the independent analysis which shows that up to one third of newly qualified teachers are not competent. That is why I suggest that there is a demand from parents for better trained teachers. Our policy will produce that.

Mr. Squire: The Government share my hon. Friend's concern about raising the standards of teaching. That is why we have established the Teacher Training Agency as a dedicated body, which will bring together all the strands of teacher training which were previously the responsibility of four different bodies.

Sixth Forms

14. **Mr. Moss:** To ask the Secretary of State for Education what proportion of secondary schools have a sixth form; and what steps he is taking to encourage the greater use of sixth forms.

Mr. Patten: About three in five secondary schools have a sixth form. Wherever possible, we want young people to be able to choose whether to continue their education in a school sixth form or a college, consistent with our policy of encouraging diversity and choice. I published guidelines on 16 February setting out the criteria against which I will judge proposals for new sixth forms.

Mr. Moss: Does my right hon. Friend agree—*[Interruption.]*—that parental choice would be greatly improved if we accorded sixth form status to all the grant-maintained schools that have applied for it?

Mr. Patten: As my hon. Friend can judge from the warm welcome that it received, that was an extremely popular question. Sixth forms are popular with schools. For some schools, to have no sixth form is like being a body with no head. We are also keen to give diversity and choice to all 16 and 17-year-olds, which is why we are increasing provision for grant-maintained schools to have sixth forms, with a 25 per cent. increase in the number of sixth form college places in the next three years.

PRIME MINISTER

Engagements

Q1. Mr. McAllion: To ask the Prime Minister if he will list his official engagements for Tuesday 14 June.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. McAllion: The family of Andrew de Vries, the British citizen gunned down in Texas earlier this year, has been campaigning for a federal investigation into the misconduct of the homicide inquiry by the local authorities in Houston. So far, it has uncovered many inconsistencies and blatant lies in the flawed official version of events. Will the Prime Minister now overrule the Foreign Office which, until now, has steadfastly refused any Government support for the family's campaign? Does he accept that if he, too, chooses to ignore the massive injustice inflicted on that British citizen travelling under the protection of a British passport, many people will conclude that those who travel under that passport in future will do so at their own risk, as they will receive no protection whatever from the British Government when they face the direst emergencies in a foreign land?

The Prime Minister: That was a very tragic death in unusual circumstances and I should like to add my sympathy to Mr. de Vries's parents and friends. It was an appalling incident and I know that the hon. Gentleman has given a great deal of help and comfort to the family. The trial was conducted according to Texan law and procedures and the grand jury decided not to proceed with an indictment. I believe that the best way forward at present is for Mr. de Vries's parents to put their points to their US legal representatives and be guided by the advice that they receive from them. I will certainly ensure that the hon. Gentleman and, of course, Mr. and Mrs. de Vries, are kept fully informed of any information that may come to the Government. We shall offer any advice that we can, but I do not think that it is for us to campaign. Advising is a different matter.

Mr. Peter Ainsworth: Will my right hon. Friend join me in condemning tomorrow's strike by railway signalmen, which will bring misery and inconvenience to millions of people trying to get to work or go on their holidays? Does he agree that those running for the Labour party leadership should condemn that selfish action with equal vigour?

The Prime Minister: I agree with my hon. Friend that the strike is unnecessary and very much regret that it is taking place. I hope that, even at this late stage, it will be possible for the two sides to negotiate on the package that is there to be discussed. If the strike is to go ahead, I assure my hon. Friend that action has been taken by the relevant Department to ensure that a substantial amount of parking space will be available in London to enable as many people as possible to continue with their normal work.

Mrs. Beckett: Can the Prime Minister confirm that it is still his intention to increase VAT on gas and electricity from 8 per cent. to 17.5 per cent?

The Prime Minister: It is very interesting that the right hon. Lady does not want to discuss the question of a strike. *[Interruption.]* I think that the whole country will have noticed that that is the case and will probably understand precisely why. If my right hon. and learned Friend the Chancellor of the Exchequer has any changes in taxation plans, he will announce them in the usual way at the usual time.

Mrs. Beckett: Is not it the case that next year, with VAT up— *[Interruption.]*

Madam Speaker: Order.

Mrs. Beckett: Is not it the case that next year, with VAT up and tax allowances—including mortgage interest relief—cut, people will be paying more VAT, more national insurance and more income tax and, as a result, a typical British family who are paying £500 more tax this year will be paying £800 more tax next year?

The Prime Minister: If the right hon. Lady is so concerned about tax, perhaps she would like to make clear, as she indicated that she would a day or so ago, what her own tax proposals are. Does she want to raise higher taxes —*[Interruption.]*

Madam Speaker: Order. The House must come to order and listen not only to questions, but to answers.

The Prime Minister: Does the right hon. Lady want to raise taxes for those people earning more than £60,000, like the hon. Member for Oldham, West (Mr. Meacher), or for those people earning more than £50,000, like the hon. Member for Neath (Mr. Hain), or for those people earning more than £40,000, like the hon. Member for Brent, East (Mr. Livingstone)? Those are matters that the right hon. Lady ought to make clear to the House, if she is interested in taxation. She cannot hide from the results of her policies and her promises.

Mrs. Beckett: I can certainly tell the Prime Minister that we will vote against any such increase in VAT, but is not it still more evidence of the Government's sheer dishonesty that they are speaking about tax cuts at a time when the only things in the pipeline are tax increases for every British family? Does not the Conservative party realise that it is that sheer deception and dishonesty which have led directly to the biggest defeat suffered by the Conservative party in any national election?

The Prime Minister: The right hon. Lady knows very well that day after day she and her hon. Friends make promises, with no indication of how those promises will be paid for. The shadow Chancellor then denies that there are promises. The right hon. Lady never indicates what the impact of her own promises and her own policies are. As the Government, we have to make decisions and carry them through; she makes promises and runs away from them.

Mr. Brazier: Will my right hon. Friend give his personal attention to the threatened prosecution of a number of Falklands war veterans? Is not it wrong that a civilian court should hear a case, not to do with something that happened in a prisoner-of-war camp or a safe area, but arising from allegations about what happened in the heat of battle? We expect a great deal of our young soldiers and may have to ask it again of them one day. May I ask my right hon. Friend to give instructions to the Director of Public Prosecutions that that case should be speedily discontinued, in the public interest?

Hon. Members: Hear, hear.

The Prime Minister: I understand the strong feelings set out by my hon. Friend and the strong feelings of many people, but I do not think that it is an advisable principle for the Government to seek to instruct the DPP in that fashion. I do not think that that principle would be regarded as proper, whatever the circumstances.

Mr. Ashdown *rose—*

Mr. Skinner: Yesterday's man. *[Interruption.]*

Madam Speaker: Order. I know that Members are pleased to see each other, but this is going over the top. I want to hear Mr. Ashdown.

Mr. Ashdown: I am glad that the Prime Minister agrees that these 15 minutes of Prime Minister's Question Time need to be reformed to make them more intelligible to us and make them more like what the British people say they would like to see, but will he now tell us what specific proposals he has for the House to consider?

The Prime Minister: As I have indicated to the House before, I believe that there is a widespread feeling that these 15 minutes could be more productively used, but I am conscious that on this occasion the Prime Minister of the day—[HON. MEMBERS: "Answer the question."] I will come directly to the point as to my personal view. Let me make another point first. I believe that it is right for the Prime Minister of the day to be here to respond to whatever questions may be put to him by Members. If the right hon. Gentleman asks for my personal view on the subject, I believe that it would be more appropriate if contemporary questions were tabled the night before, so that the Prime Minister of the day can deal with relevant matters.

I am prepared to answer whatever questions, in whatever fashion, may be put to me. However, I believe that there is a view among people in the country that we should be discussing more relevant matters than is sometimes the case during some of the exchanges that take place during Prime Minister's questions.

Mr. Nicholls: Has my right hon. Friend had the opportunity to study the survey by Manpower, which shows that job prospects are now at their best for the past four years? Is not the reason for that in large measure that we have not allowed the European Community to dictate our labour market policies? Is not it quite shameful that Labour Members of both this Parliament and the European Parliament are committed to destroying the very policies that have brought about that success?

The Prime Minister: Thankfully, unemployment has been falling for the past 15 months—by some 300,000 —and I believe that that trend will continue, unlike in other countries in Europe. The significant difference between us and them is that we do not have the additional costs on employment that prevent so many people on the continent from finding jobs. Some 20 million people across Europe are unemployed; only in this country has there been a significant drop in the unemployment level.

Madam Speaker: I call Mr. Robert Ainsworth. He is not here. Therefore, I call Mr. James Hill.

Mr. James Hill: This is an unusual event, but I am fortunate to be called. Does my right hon. Friend agree that during the extensive canvassing over the past two weeks, the issues raised were not education or the national health service, but the ways in which we could protect the public through our police and defence forces? Should not the Treasury team make that a priority and put more money into the police and defence forces as and when it becomes available?

The Prime Minister: I am sure that my right hon. Friends at the Treasury will have heard my hon. Friend's plea. There is no doubt about the concern about crime that is felt throughout the country. We are seeking to deal with that concern through legislation and other means and we shall continue to do so. The matter cannot readily be solved at the stroke of a legislative pen. However, it does require legislation and that is being provided, together with other areas of assistance to improve the fight against crime.

Q4. **Mr. Keith Hill:** To ask the Prime Minister if he will list his official engagements for Tuesday 14 June.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Hill: If the Prime Minister can recall life before Labour's triumph last Sunday, does he remember telling television viewers last Wednesday that we were through the recession and that he was glad that the rich had become richer? Can he explain why, in my south London constituency, unemployment is higher than it was 12 months ago? What comfort can he offer my unemployed constituents who have become poorer?

The Prime Minister: I do not think that even the hon. Gentleman's constituents will be in any doubt about the fact that the recession is over and we are back in mature growth. They would also have noticed the falls in inflation, in interest rates and in unemployment throughout the country. I very much hope that that fall in unemployment will soon extend to Streatham, an area which I know extremely well. The hon. Gentleman, who also knows it well, will be aware that the policies of inner London councils in recent years have forced many employers out of inner London. That is one significant reason why, for many years, unemployment in areas such as Streatham has been higher than it otherwise would be. If the hon. Gentleman is proud of Lambeth council, I would be very surprised.

Q5. **Mr. Ian Bruce:** To ask the Prime Minister if he will list his official engagements for Tuesday 14 June.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Bruce: Is my right hon. Friend aware that despite large job losses in the Ministry of Defence, unemployment in my constituency fell 10 per cent. in the last quarter? Is not that a tribute to my constituents' positive action on job creation and to their refusal to take strike action? Does my right hon. Friend agree that the enemy of full employment is the strike, and that pious words on "Panorama" about full employment come ill from people who refused to cross picket lines just a few days previously?

The Prime Minister: My hon. Friend is entirely right. Actions speak louder than words and, thus far, we have seen that Opposition Members will not cross a picket line although they are prepared to talk about unemployment. *[Interruption.]* I am delighted to hear the hon. Gentleman, as ever, say that the Opposition are on the side of the strikers, whatever the circumstances may be. I hope that the whole country noted that. The reality is that strikes are outmoded and unnecessary and they penalise innocent bystanders. I regret that the Opposition were prepared to do that last week and are prepared to do so in respect of tomorrow's strike as well.

NEW MEMBERS

The following Members took and subscribed the Oath or made the Affirmation required by law:

Margaret Eve Hodge, for Barking.
Gerard Sutcliffe Esq., for Bradford, South.
Judith Ann Church, for Dagenham.
David William George Chidgey Esq., for Eastleigh.
Stephen Creswell Timms Esq., for Newham, North-East.

Points of Order

3.37 pm

Mr. Peter L. Pike (Burnley): On a point of order, Madam Speaker. Will you advise me whether the procedure in Prime Minister's Question Time has changed, because I have always understood it to be the case that when hon. Members ask the Prime Minister questions, the Prime Minister answers those questions? If you look at *Hansard*, you will see that he now spends most of the time asking questions. Should not we either get extra time for that or refer the issue to the Procedure Committee, because it is becoming quite outrageous?

Madam Speaker: That is the first bogus point of order for today. As the hon. Gentleman and the House know, the Speaker is not responsible for answers given by Ministers. If the hon. Gentleman has a point to take up, he must do so directly with the Prime Minister.

Several hon. Members *rose—*

Madam Speaker: Order. I hope that the second point of order will not lead to a rush of points of order, many of which are bogus.

Ms Joan Walley (Stoke-on-Trent, North): On a point of order, Madam Speaker. May I ask that you make it your business to look at how we can raise matters of real importance during Prime Minister's Question Time? I particularly draw your attention to the fact that the wreck of the MV Derbyshire has now been found under the South China sea and there is a call to reopen the public inquiry. Would not it be proper that, through Prime Minister's Question Time, we could at least question the Prime Minister on whether he is prepared to reopen the inquiry or, if not, to make use of the ships that are now in that area to get to the bottom of it?

Madam Speaker: Order. It is a total abuse to raise new material at this time by means of a point of order. The hon. Lady, I am sure, is well aware that there are Adjournment debates, for which she can enter her name in the ballot, and I might look kindly on her and allow her an Adjournment debate on that matter in future.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No.101(3)(Standing Committees on Statutory Instruments, &c.),

That the draft Army, Air Force and Naval Discipline Acts (Continuation) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Wood.]*

Question agreed to.

Regulation of Cosmetic Surgery

3.39 pm

Mrs. Ann Clwyd (Cynon Valley): I beg to move,

That leave be given to bring in a Bill to establish registration procedures for cosmetic surgeons in order to set minimum standards of training and practice; and for related purposes.

How many of us have wished at some stage in our lives to change the shape of our noses, our waistlines or some other feature? As we grow older, we may long to get rid of the bags under our eyes and the spare tyres round our middles.

In Britain, 60,000 people a year now opt for cosmetic surgery to do just that, and they are spending millions of pounds. Clinics in the private sector offer a multitude of different procedures to improve most parts of the human body. In our current society, which places such a heavy emphasis on youth and good looks, such clinics often claim to offer the quick, easy, painless and permanent route to a perfect physique and a wrinkle-free face.

Although plastic surgery in the national health service is generally very safe, the NHS—as we well know—is bursting at the seams, and there are long and growing waiting lists. Consequently, those who are in medical need of plastic surgery—such as burns victims, cancer patients or those with limb deformities—tend to be treated first, while those desiring cosmetic surgery are turned away. Some unscrupulous cowboys have identified and exploited the demand that the NHS is unable to meet; as a result, people are being permanently scarred and even losing their lives—so far, without the Government's batting an eyelid.

The fact is that anyone can set up shop as a cosmetic surgeon, with no qualifications at all. Indeed, unless such people specifically claim to be doctors or surgeons, they will not even be committing any offence. As soon as the so-called surgeon obtains the prospective patient's consent, he can legally operate without any expertise whatever. Horrifying though it may sound, even members of the Government could perform liposculpture in a private clinic; as long as they did not lie—which, of course, they never do!—it would be perfectly legal.

Most of the mistakes made by these butchers are rectified by plastic surgeons practising in the NHS. To repair botched surgery can take several operations and cost up to £10,000—a cost which, of course, is borne by the NHS. There can also be a long wait for surgery, especially as the disfigurements involved, although horrific, are not life-threatening.

Many such clinics gain a good deal of business from advertising in national newspapers and women's magazines. They use misleading images and claims, offering "the looks you always desired" or "to change your whole outlook on life". The Advertising Standards Authority has written to me providing a number of existing guidelines for cosmetic surgeons. They state that no advertiser should take improper advantage of any characteristic or circumstance that may make consumers vulnerable—for example, by exploiting their credulity, or their lack of experience or knowledge, in any manner detrimental to their interests. No categorical statements should be made, such as "walk-in, walk-out procedure" or "always a minor procedure", especially in the case of liposculpture. That is because any form of invasive surgery may involve complications.

Those guidelines, nevertheless, have been systemically broken by many disreputable operators. In order to create the illusion of credibility, clinics claim that their surgical staff are Fellows of the Royal College of Surgeons. That may very well be true, but the particular surgeon could be a pathologist with no expertise or experience in cosmetic surgery. To draw an extreme comparison, let us imagine a Boeing 747 being piloted by someone who trained on crop-spraying planes.

The president of Royal College of Surgeons, Professor Norman Browse, wrote to me stating:

> "It is the College's view that no person should perform surgical procedures unless they are properly trained."

Even our animals have better protection. At the moment, doctors cannot operate on an animal unless they qualified as a vet, yet, as things stand, a vet could perform cosmetic surgery on a member of the public. Such unprofessional conduct may well result in the vet being struck off, but in practice this would not stop him or her continuing to practise cosmetic surgery in the private sector.

The medical profession has always been controlled and regulated by strict ethics. However, with the huge sums of money now involved in private cosmetic surgery, the voluntary codes of practice have been breached by some outfits to make quick, easy money. Those cowboys perform surgery in the most appalling conditions at great risk to the patient. A woman who got in touch with me was given liposculpture in a ground floor office in Harley street. She said:

> "I think the operating table was a dental chair. They asked me to turn over onto my stomach, or my side, but the chair was the wrong shape and it was very difficult. I was asleep most of the time, so I think that the anaesthetic must have been a general.
>
> At some stage during the operation (I was told that it was towards the end) I woke up. I was in tremendous pain and began screaming. They were still taking fat from my legs. The doctor told me afterwards that he had to continue with me awake, or my legs would have been uneven. It hurt me badly. My legs were uneven."

The procedure is advertised in women's magazines as "minor and gentle". It turned out that the cosmetic surgeon was a general practitioner. He had performed a surgical operation without any surgical training and had administered a general anaesthetic without an anaesthetist.

At present, clinics that offer only "day-care" surgery can exploit a loophole in the law which means that they do not need any facilities to cope with the emergencies and complications which can arise with some of the procedures involved in cosmetic surgery. That type of "office surgery" is highly dangerous and needs to be stamped out.

The level of official complaints is relatively low, but that is due to the complex psychological attitudes involved. The General Medical Council believes that

> "patients seeking cosmetic surgery may frequently be psychologically vulnerable and may not have the necessary knowledge to make an informed decision."

If an operation worsens a disfigurement that was causing great distress, or creates a new one, the victim will obviously be increasingly embarrassed and filing a complaint is probably the last thing on his or her mind. One such victim told me that when her surgery went wrong,

> "It shattered my whole life"

and left her "feeling suicidal".

Victims who complain have to follow a complex and potentially confusing set of procedures. To prosecute for negligence they must sue the doctor involved; this is costly and drawn out, requiring patients to draw attention yet again to their disfigurement.

The clinics advertise free glossy brochures to advise potential customers but the brochures are designed to encourage people to have as much done as they can afford. The aim is to sell body parts by mail order. Surgeons at such clinics often work on commission, so the more operations they perform, the more money they pocket.

The problem has been swept under the carpet for far too long. It is a complex subject, but too many people are suffering acutely at the hands of cowboys who have been given a free rein to abuse the British public's trust in the voluntary system of medical ethics. The Under-Secretary of State for Health, the hon. Member for Bolton, West (Mr. Sackville), has said that it is not a matter for the Department of Health, but the responsibility clearly lies with the Department. Action must be taken as soon as possible to stop any more innocent people being subjected to this butchery at the hands of some greedy and unscrupulous people.

Question put and agreed to.

Bill ordered to be brought in by Mrs. Ann Clwyd, Mr. Chris Mullin, Mrs. Alice Mahon, Ms Dawn Primarolo, Miss Emma Nicholson, Mrs. Teresa Gorman, Mr. Stephen Byers, Mr. D. N. Campbell-Savours, Mrs. Helen Jackson, Mr. Elliot Morley, Mr. Brian Sedgemore and Ms Angela Eagle.

REGULATION OF COSMETIC SURGERY

Mrs. Ann Clwyd accordingly presented a Bill to establish registration procedures for cosmetic surgeons in order to set minimum standards of training and practice; and for related purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 15 July, and to be printed. [Bill 125.]

GATT

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Wood.]*

[Relevant documents: The White Paper on the Uruguay round of multi-lateral trade negotiations 1986-94 [Cm. 2579], Miscellaneous (Nos. 13 and 15 to 30, 1994), Agreements, done at Marrakesh on 15th April 1994, establishing the World Trade Organisation [Cm. 2556 to 2559, 2561, 2562, 2564 to 2569 and 2571 to 2575] and Miscellaneous (No. 14, 1994), Final Act, done at Marrakesh on 15th April 1994, embodying the results of the Uruguay round of multi-lateral trade negotiations with ministerial decisions and declarations and understanding on commitments in financial services [Cm. 2570].]

3.50 pm

The Minister for Industry (Mr. Tim Sainsbury): The conclusion of the Uruguay round of multilateral trade negotiations on 15 December 1993 brought to an end seven years, two months and 25 days of complex and often fraught negotiations. I shall concentrate on what the negotiations achieved—a further crucial contribution to higher world growth, more open world markets and a more stable climate for international trade—but I begin by putting this achievement in its historical context.

The Uruguay round was the eighth round in the 47-year history of GATT, the general agreement on tariffs and trade. Like all previous rounds, one of its principal aims was to reduce tariffs—the most obvious and, when GATT was founded, the most serious barrier to trade. Indeed, the earliest rounds, such as the Torquay round in 1951, were concerned with nothing else.

However, as GATT developed, it became clear that reducing tariffs, although vitally important, was not by itself enough to further the process of trade liberalisation. Starting with the Kennedy round in the mid-1960s, and continuing with the Tokyo round in the 1970s, GATT also began to grapple with extending and amplifying the trade rules to take greater account of the use of other barriers to trade such as anti-dumping measures. The Uruguay round greatly extended that process, bringing new spheres such as services and intellectual property within the trade rules for the first time. It was the largest and most complex series of trade negotiations ever held.

Although the Uruguay round has greatly increased the scope and complexity of the trade rules, it is worth remembering that the heart of the rules are the same principles of non-discrimination that have been central to the growth of world trade since 1947—above all, the most-favoured nation, or MFN, principle and the principle of national treatment. I remind the House what the principles involve.

The MFN rule requires that all GATT members treat all other GATT members at least as well as they treat their most-favoured trading partner. The national treatment rule prevents countries from protecting their domestic industries by applying internal taxes or regulations differently from imported goods and goods produced at home. Impressive benefits have flowed from the application of these principles in the rules of GATT and from the steady reductions in tariffs through successive rounds of negotiations.

In 1947, tariffs on goods imported by industrialised countries averaged no less than 40 per cent. By the start of the Uruguay round, the figure had fallen to 5 per cent. In volume terms, world merchandise trade has multiplied 12-fold since GATT was established in 1947. The value of that trade rose from about £14 billion in 1947 to nearly £2,000 billion by 1991. Countries all around the world have recognised the benefits of GATT membership. The United Kingdom was one of only 23 founding contracting parties to GATT in 1947. Now, there are 123 GATT members, and other countries are in the process of applying for membership—notable among those is China. That indicates how widely the benefits of open trade based on multilateral rules are understood.

The GATT deal that we are discussing today will boost world economic growth. The reduction of both tariff and non-tariff barriers to trade will increase opportunities for exporters. Exporters of services will benefit by the inclusion in GATT of intellectual property rights and trading services for the first time. All of us will benefit as consumers from improved choice, lower prices and greater efficiency. The Uruguay round will enable us to look forward to a world with freer trade, more jobs for British workers and higher growth for the UK and, indeed, for the rest of the world.

A 1993 World bank and Organisation for Economic Co-operation and Development study cautiously estimated that the successful conclusion of the round would boost world annual output by more than $270 billion after 10 years. On the other hand, if the forces of protectionism had triumphed and the lengthy negotiations had ended in failure, we would have faced the grim prospect of trade wars, price rises, lower living standards and prolonged recession. That would have been a tragedy, not only for the United Kingdom, but for the OECD countries and for the whole world.

Dame Elaine Kellett-Bowman (Lancaster): Does my right hon. Friend agree that a great deal of the credit for the success should go to Sir Leon Brittan?

Mr. Sainsbury: I am happy to agree with my hon. Friend and, later in my speech, I shall refer to some of those to whom we are most indebted for achieving the agreement.

It is worth remembering that trade liberalisation is not a zero-sum game, but a process which leaves everyone better off. By choosing the route of liberalisation, the world's trade negotiators clearly rejected the temptation to resort to protectionism. At a time of stagnation in the world economy, that was a courageous choice for which they deserve congratulations. The benefit will not, of course, all be felt overnight. The results of the round have still to be ratified. At the OECD ministerial council on 7 and 8 June, I and all the other Ministers from the developed world reaffirmed our commitment to implementation of the round by 1 January next year—the target agreed at the Marrakesh conference, which concluded the round in April. While some of the changes that the round will bring will come into force immediately, others, including most of the new tariff reductions, will be phased in over a period of years.

Mr. Ieuan Wyn Jones (Ynys Môn): I understand that the Minister may wish to comment on some of the more specific agreements later. However, as he has talked about the phasing in of some of the agreements, will he touch on some of the changes in the agricultural sector, especially whether the current GATT agreement is compatible with the common agricultural policy reforms already agreed and whether he believes, as do the farming unions, that further reforms may be necessary as the GATT agreement comes on stream, perhaps in five or six years' time?

Mr. Sainsbury: The hon. Gentleman is right in thinking that I shall be turning to the specific proposals and, as it is a rather complex and wide-ranging subject, perhaps he will forgive me if I deal with his question when I talk specifically about agriculture.

It is now easy, safe in the knowledge that agreement has been reached, to assume that that agreement was inevitable and to believe that there was never any risk of failure. I suggest that that would be a mistake. From the very beginning, the Government had to fight hard to ensure that negotiations were maintained and that agreement was secured.

Dame Elaine Kellett-Bowman: Hear, hear.

Mr. Sainsbury: I am glad to have the agreement of my hon. Friend on that.

In 1986, Britain was among those who argued for the launch of the Uruguay round, and the round started during the United Kingdom presidency of the European Community. We also pressed successfully for the negotiations to be wider than in any previous rounds, including, of course, trade in services, intellectual property rights, investment, agriculture and textiles, all issues of particular importance to Britain. We ensured that the European Commission, the EC's trade negotiator, had the support that it needed to conclude a liberalising deal and was not shackled by restrictive or unrealistic negotiating mandates.

In 1992, when there was the prospect of an EC-US trade war, the Government used our presidency to get both sides around the negotiating table and reach agreement on the oilseeds dispute, which was the cause of the threatened trade war, and on agricultural support and trade policies generally. That deal, which came to be known as the Blair House agreement, formed the basis of the eventual agreement on agriculture within the round—one of the major sticking points of the negotiations.

Of the countries participating in the round, around two thirds were developing or least developed countries, including some of the poorest of the world's trading nations. On a number of occasions during the round, developing countries took a lead in urging progress on the developed world. That is not surprising, given that those countries would perhaps have suffered worst had protectionism and trade wars occurred.

As I have said, the road to agreement was long and arduous. We all owe a debt of gratitude to those who worked to ensure that a successful conclusion was reached. We owe a debt to the negotiators, both Ministers and officials, and to the GATT secretariat. The personal contribution of several individuals stands out.

I acknowledge the work of the two most recent directors of GATT. They are Arthur Dunkel, who was responsible for the Dunkel text, and Peter Sutherland, who brought the round to a conclusion. That was greatly assisted by his energy, determination and good humour. Great credit is also due to a number of other people. The European Community's negotiator Sir Leon Brittan, to whom my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) has already referred, worked tirelessly for the Community's interests without ever losing sight of the wider picture. The United States negotiator, Micky Kantor, played a crucial part in the negotiations.

Finally, we should not underestimate the contribution made consistently by my right hon. Friend the Prime Minister on a number of occasions of crucial importance to the success of the round.

Mr. Max Madden (Bradford, West): I am sure that the House will echo the Minister's comments about the endeavours to complete the GATT round. However, the Minister will undoubtedly be aware of the genuine misgivings of those concerned with overseas aid and development who believe that the overall impact of the GATT round will intensify difficulties that flow from the policies of the World bank and the International Monetary Fund. What initiatives will the British Prime Minister and the European Union take to try to redress those difficulties? On a domestic note, what success has the Minister had in persuading the Americans to allow much larger access to British wool textiles to the United States?

Mr. Sainsbury: As I said earlier, I will refer to specific matters such as textiles. It would clearly be remiss of me not to consider textiles and I will deal with that point.

It is a misunderstanding to assume that the round will somehow be other than beneficial to developing countries. That is revealed by the fact that on a number of occasions, particularly after the Commonwealth meeting in Limassol, those countries have taken the lead in urging on the developing countries the fact that we should reach an agreement.

Copies of the agreements that I signed at Marrakesh have been placed in the Library. Hon. Members who have seen them will know that they are complex and, combined, run to many hundreds of pages. When they were placed on the table at Marrakesh for the contracting parties to sign, we assumed that everyone had their copy on the table, only to discover to our horror that only one complete copy of the agreement lay on the table.

Those reluctant to embark upon such weighty bed time reading may be reminded that on 19 May we published a White Paper entitled "The Uruguay Round of Multilateral Trade Negotiations 1986-94". That is a nice, compact White Paper and I recommend it to the House. It provides an extensive guide to the Uruguay round agreements.

Mr. Stuart Bell (Middlesbrough) *indicated assent.*

Mr. Sainsbury: The hon. Member for Middlesbrough (Mr. Bell) obviously agrees with that.

I should like now to draw the attention of the House to certain key features of the agreements which are likely to be of primary importance to the United Kingdom.

Mr. Mark Robinson (Somerton and Frome): Before my right hon. Friend moves on, may I say that I believe that he has been modest about the British Government's contribution? Here is an example of Britain working at the heart of Europe and at the heart of the international community and working to ensure that a GATT agreement would be delivered. When we work in that way, it shows how this Government can be effective and are effective and it gives the lie to many of the charges that have been tossed around in the recently concluded European elections.

Mr. Sainsbury: I am happy to agree with everything that my hon. Friend says. In the negotiations, Britain more than punched its weight. We were always in the lead, on the side of obtaining a successful agreement, and an

[Mr. Sainsbury]

agreement which generally liberalised world trade and brought in the new areas. Our influence within the European Union to that effect was very substantial.

Mr. D. N. Campbell-Savours (Workington): Recognising that liberalisation under GATT inevitably means greater penetration of our markets, may I ask the right hon. Gentleman a very simple question? Does he think that western advanced economies can compete in terms of wage levels with countries such as China, India and south-east Asia? Does he think that we can compete with those economies on the basis of wage levels?

Mr. Sainsbury: I was going to answer the hon. Gentleman's question by saying yes, until he started adding wage levels. I put to him the simple point that competition is a much more complex issue than something relating just to wage levels. I commend to the hon. Gentleman "Helping Business to Win". If he reads the White Paper on competitiveness, he may see how British business can compete.

I now refer to some of the key features of the agreement. First, there is the proposed World Trade Organisation which will be created as a result of the agreement. Since 1947, the GATT has been applied only provisionally, pending the establishment of an international trade body that never came into being, so after 45 years the GATT must be one of the world's longest lasting provisional agreements, but that is about to change. The agreement that I signed at Marrakesh provides for the foundation of a World Trade Organisation, or WTO. The creation of that organisation will put the GATT on a permanent institutional footing for the first time. The WTO will also provide an institutional structure for the operation of the other trade agreements and understandings concluded as part of the round.

Secondly, I draw the attention of the House to the new dispute settlement system, the operation of which will be one of the WTO's key functions. That system will provide an integrated mechanism for resolving disputes between GATT members about their rights and obligations. It is one of the most significant achievements of the round and one which the United Kingdom played a key role in formulating. With more members than ever before—123—and more complex rules, it is more than ever vital that there should be an effective procedure for settling disputes. Although GATT already has a dispute settlement procedure, that procedure has some important weaknesses. The new dispute settlement process, to be conducted under the aegis of the WTO, will do away with many of those weaknesses and it will offer new and significant benefits to industry.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The trade dispute procedure is an important part of the package. Will it speed up the resolution of trade disputes? Much dumping can happen so quickly that it is only historically noticed. May we have an assurance that there is within the new procedures a speedy way of tackling some of those very difficult trade matters?

Mr. Sainsbury: I am glad to have the hon. Gentleman's recognition that a speedier dispute settlement system is a very important element. I am a little reluctant to go too much into how it will speed up the process or I will slow up my speech, but I can assure the hon. Gentleman that at the heart of the new disputes system is a mechanism to make sure that it works quicker, rather than as slowly as it has done in the past.

Dame Elaine Kellett-Bowman: Will my right hon. Friend give way?

Mr. Sainsbury: I must not give way too often or no one else will have a chance to speak.

Dame Elaine Kellett-Bowman: Will the system be likely to cover the very vexed problem of Spanish tomatoes, which are wrecking the horticulture industry in my part of the world and elsewhere?

Mr. Sainsbury: I shall ask my hon. Friend the Under-Secretary to deal with the detail of Spanish tomatoes, whether sun dried or others.

I can assure the House that any disputes that fall within the GATT system will be open to be resolved through an improved and faster dispute system. The system will be governed by a set of clearly defined time limits relating to the establishment of panels, the adoption of their reports and any remedial action that may result.

The new system will also see an end to perhaps the worst fault of the old system—the ability of the losing party in a dispute to block the adoption of the report of a dispute settlement panel which found against them. It was as though the accused could always sit on the jury hearing his case. Under the new system, a GATT contracting party will no longer be able to block an adverse GATT panel report. Instead, if it disputes the soundness of the panel's findings, it can have recourse to an appeal body—the appeal body is also governed by strict time limits—whose findings must be accepted. Once a GATT member is found to be in breach of its obligations, action must be taken to redress the situation.

I turn from the improvements in procedures and the institutional framework and look at the changes of substance that the round will bring. For Britain, one of the key innovations is the extension of the multilateral trade rules to cover services for the first time. That is vital to us because services already account for 23 per cent. of Britain's trade. Indeed, in 1992, our exports of commercial services exceeded £32 billion, making the United Kingdom the fourth largest invisible exporter—perhaps I should rephrase that and say exporter of invisibles—accounting for 9.6 per cent. of total world invisible exports.

Britain is well placed to gain from the changes. The new general agreement on trade in services—GATS—will introduce central GATT principles to services trade for the first time: notably MFN, which I referred to earlier, national treatment and transparency of regulation. That will provide a more stable and solid framework for services trade than has previously been available.

In addition to the new rules for services, countries have made significant commitments to guarantee access to their markets for foreign firms in a wide range of service sectors. That is only the start of the process. In most cases, countries are offering no more than a guarantee of existing levels of access in certain sectors at this stage. But even that will offer service exporters important security that they will not face new restrictions in those sectors.

However, there will also be some genuine measures of liberalisation. For example, a number of countries will be liberalising their markets for value-added telecommunications, and negotiations are continuing in basic telecommunications, financial services and maritime transport services to improve the levels of commitment that countries were prepared to make in December.

The crucial achievement is the provision of a multilateral framework within which services trade can grow and flourish. All services sectors are covered by the GATS. The GATS enshrines for services the principle of progressive liberalisation which has paid such dividends for trade in goods. WTO members will be committed to negotiating further liberalisation five years after the agreement comes into force. In the meantime, work will also progress to refine the rules in such areas as the effect of subsidies on services trade.

Another crucial feature of the GATT deal for the United Kingdom is the agreement on trade-related intellectual property rights—TRIPS. The whole of the GATT round was bedevilled by acronyms. The worst of the acronyms that was developed was FOGS—the functioning of the GATT systems. There were moments when those of us who were involved felt that we had gone too much into the fog.

Mr. George Howarth (Knowsley, North): It is the same today.

Mr. Sainsbury: I am sorry that the hon. Gentleman does not find the clarity of my presentation sufficient for him, but perhaps he will listen attentively.

British industry must innovate if it is to be competitive. It is vital that new technology and ideas are protected. British companies need to be sure that they will reap the proper benefits of their innovation. That is why intellectual property protection is so important. Unfortunately, at present many countries do not offer the same levels of intellectual property protection as we do and as are to be found in Europe. Indeed, it is fair to say that some do not offer any effective intellectual property protection at all.

As a result, British industry loses many millions of pounds of revenue each year because of abuses of intellectual property rights. For example, the International Federation of the Phonographic Industry has estimated that £352 million of potential revenue was lost to piracy in Asian markets alone in 1992. This is why the TRIPS agreement is such an important feature of the new GATT deal.

I know that a number of hon. Members will be particularly interested in the textiles aspects of the agreement. This will extend GATT rules to bring trade in textiles and clothing fully within the multilateral system. The multifibre arrangement—the MFA—which currently imposes restrictions on the textiles and clothing exports of 27 countries is to be phased out in four stages over 10 years. That should lead in due course to significantly lower prices for consumers.

However, the Government recognise that the phasing out of the MFA will present the UK textile and clothing industries with difficult challenges. The 10-year phase-out period should allow time to prepare. Moreover, our textile exporters will benefit from lower tariffs in other countries.

Mrs. Elizabeth Peacock (Batley and Spen): Will my right hon. Friend give way?

Mr. Sainsbury: Before I give way, I shall remind my hon. Friend of how succesful our textile and clothing industries are at exporting. In the past five years, they have doubled their exports to the value of £5 billion.

Mrs. Peacock: My right hon. Friend will know of my great interest in textiles and in free and fair trade, and I hope that he will say a word or two about the importance of market access.

While the industry recognises the great work that my right hon. Friend did on its behalf, it is not quite as happy with the access to some of the markets, particularly India and Pakistan which have tariffs of about 100 per cent. The industry is also unhappy about the reduction in our woollen goods to the USA by some 10 per cent. The reduction will take place over 10 years, and is really only 1 per cent. a year. That is not terribly helpful.

Mr. Sainsbury: The whole House knows that my hon. Friend is a tireless campaigner for the textile industry and I entirely share her views on the disappointing nature of some of the market access offers.

It was certainly disappointing that the US could not agree greater reductions in some of its peak tariffs—to which my hon. Friend referred—although the cuts for wool cloth are significant gains for our industry. We hope that the continuing negotiations with countries benefiting from the phase-out of the MFA, such as India and Pakistan—to which my hon. Friend referred also—will result in genuine tariff concessions which will recognise their improved access to our markets.

I turn now to the agricultural aspects of the round. Agriculture, too, will, for the first time, be brought fully within multilateral trade rules. The overall aim of the new agreement on agriculture is to promote more market-oriented agricultural policies, with less reliance on the uncontrolled use of subsidies and on protection against imports.

The Government are well aware that the recent reform of the common agricultural policy has already meant a lot of change for the farming industry. The reform was a significant step towards bringing the CAP into a close relationship with world markets and reducing European farmers' dependence on intervention. It has undoubtedly helped pave the way for the GATT agreement.

The European Commission considers that the Community should be able to meet most of its new GATT commitments on the basis of already agreed CAP reforms. The Government's own economic analysis broadly supports this conclusion. However, that does not mean that the process of CAP reform will stop. The need for further reform in certain areas of the CAP—for example, beef—remains, but that would have been so with or without a GATT agreement.

Similarly, further action will clearly be needed in some of those sectors where reform has yet to start. Sugar is one example, and fruit and vegetables are others. I know that my right hon. Friend the Minister of Agriculture, Fisheries and Food will continue to press the case for further reform.

Other trade agreements covered by the WTO agreement will also provide important benefits for British industry. The agreement on subsidies will impose faster procedures, define and categorise subsidies according to their trade-distorting effects and, for the first time, ensure

[Mr. Sainsbury]

disciplines on developing country subsidies, particularly in sectors where those countries are competitive, such as leather products from India.

The anti-dumping agreement will strengthen and clarify rules governing the imposition of anti-dumping measures and impose time limits on their application. The safeguards agreement will impose important new disciplines and greater transparency on the use of safeguard measures. Action will still be possible against sudden surges of imports that threaten serious injury to domestic producers. The agreement will, however, lead to the phasing out of so-called grey area measures, such as voluntary export restraints, which have increasingly been used to restrict imports over recent years.

All those agreements, together with changes to more technical rules in areas such as customs valuation, technical barriers to trade and import licensing, will strengthen the multilateral framework of rules, which is vital to the growth and security of world trade.

Reductions in tariff barriers to trade have already been referred to in several interventions. As I said earlier, the lowering of tariff barriers has been a central element of every round of GATT negotiations since the war. The Uruguay round has been no exception. The complete removal of United States, Japanese and Canadian tariffs in a number of major sectors represents one of the most important achievements of the round. Our exports of pharmaceuticals, medical equipment, agricultural and construction equipment, Scotch whisky, beer, steel, toys, furniture and paper will in future benefit from zero tariffs in those three key markets in exports which totalled more than £2.4 billion in 1992.

Those reductions, and cuts in other markets, will offer a major boost to British exports, including, for example, exports of Scotch whisky, which already total over £2.1 billion a year. Important cuts have also been achieved in a number of peak tariffs. To take one example, the United States rates of 20 per cent. on synthetic dyes will fall to 6.5 per cent.

It is not only exporters who will benefit. Many British businesses depend on imports of materials and components. Reductions averaging 37 per cent. on a trade-weighted basis in the EC's own tariffs will bring real benefits to those businesses.

Mr. Gary Waller (Keighley): I am listening to my right hon. Friend with great interest. Does he accept that many in the textile industry feel that their sector has been traded off against others and that it has been the loser? Reference has already been made to the United States, where the tariffs will come down by only 1 per cent. a year and remain at a relatively unacceptable level.

Following Marrakesh, negotiations with India and Pakistan remain unresolved. Will my right hon. Friend assure the House that everything possible will be done to ensure that the considerable purchasing power of the sub-continent will not be denied to our textile industry and the many people that it still employs?

Mr. Sainsbury: The textile industry was certainly not singled out to be treated badly. I believe that the outcome of the Uruguay round was balanced and covered all the aspects of the relevant sectors. I agree with my hon. Friend that rather disappointing market access offers were made relating to textiles. I assure him that it will remain our objective to open the substantial markets to which he referred to better access for our high-quality textile exports.

An important feature of market access commitments given by developing countries has been the "binding" of tariffs—in other words, an undertaking not to increase tariffs in future. Many countries with very limited tariff bindings prior to the round, such as Argentina, Colombia and Romania, have now agreed to bind their tariffs on all industrial imports. That may sound rather technical, but is essential. Binding tariffs means that a country cannot decide to raise tariffs dramatically and suddenly in response to the success of a British export promotion campaign.

The creation of the WTO, which will put the GATT on a permanent institutional basis for the first time, is only a beginning. There is still unfinished business to complete. Perhaps inevitably, given the number of nations involved and issues under discussion, the Uruguay round negotiations failed to achieve all their objectives. Some market access offers, for example India and Pakistan's offers on textiles, were disappointing. Too many tariff peaks remain, but we are working to improve them.

Moreover, it proved impossible to reach agreement on a satisfactory package of liberalisation commitments on telecommunications, shipping and financial services before the conclusion of negotiations. So GATT members agreed that negotiations in those areas should continue after the end of the round. We attach great importance to achieving real liberalisation in those negotiations.

Work to reduce trade barriers further is also continuing in a number of other important sectors such as civil aircraft and steel. The Government are working hard to achieve a level playing field—no speech on GATT would be complete without a reference to a level playing field—for the UK's civil aircraft industry. We are seeking strict but fair disciplines on all Government subsidies in that field. It is important that those should cover both direct support with which we are familiar, such as launch aid, and indirect support such as that which comes to the US aerospace industry from NASA and the Department of Defence. The hon. Member for Alyn and Deeside (Mr. Jones) is familiar with that matter.

Although not strictly part of the GATT, negotiations on a multilateral steel arrangement have also resumed in Geneva. We hope to reach agreement by the end of 1994. More immediately, we must concentrate our attention on the current GATT deal. Although the Uruguay round was officially ended by the signature ceremony, the agreements still require ratification and agreement before they can come into force.

The Uruguay round is a challenge and an opportunity for British industry. Information on new opportunities that will be available is already public. Industry should start preparing to take advantage of those opportunities now. In 1992, our exports of pharmaceuticals to the US, Canada and Japan totalled £518 million and paid some £34 million in duty. Those exports will be free of duty once the WTO comes into force.

Our exports of chemicals to those markets were worth £1.7 billion in 1992. Harmonisation of tariffs will bring about an annual saving in that sector of more than £50 million. Our exports of medical equipment to the US, Japan and Canada were £386 million in 1992 and have been subject to duties of up to 9.9 per cent. Those tariffs will be phased out completely over the next five years. In 15 major markets, tariffs will be reduced to an average 3.7 per cent. It is clear from those examples alone why the director general of the CBI referred to the conclusion of the round as

"a momentous and welcome event".

Reductions in trade barriers will increase opportunities for exporters of both services and goods. Innovators and service exporters will benefit from inclusion in the GATT of intellectual property rights and trade in services for the first time. Consumers will benefit from increased choice and lower prices. It is no wonder that, within the UK, both consumer groups and industry have welcomed the outcome of the round.

However, British companies must remember that the increased competition from overseas, which will benefit consumers, will increase competition for British industry. It is a challenge as well as an opportunity. My Department will do all that it can to assist, and our export promotion and sponsor divisions will pull out the stops to help ensure that all exporters are made fully aware of the new opportunities open to them. However, my Department cannot do it all. Its role is "Helping Business to Win", which is the title of the recently published White Paper on competitiveness. I recommend it to hon. Members.

The increased competition that the round will bring is an opportunity and a challenge. Trade liberalisation is a continuous process. No trade agreement can settle every trade dispute or open every market. But the completion of the Uruguay round represents an enormous achievement in which the world has chosen trade liberalisation rather than protectionism. The conclusions of the round provide a secure basis for future expansion of world trade and the growth and prosperity that go with it.

4.29 pm

Mr. Stuart Bell (Middlesbrough): The House will be grateful to the Minister of State for making an important but nevertheless dull subject more interesting for the House. He has certainly had a response from hon. Members in the House by way of many interventions.

The Minister of State was right to draw our attention to the extensive scope of the GATT agreement and its variety of annexes and schedules. I am sure that the Chancellor of the Exchequer, who is not with us today, could safely put his hand on his heart and say, "I have not read this document," and we would all forgive him for doing so. The Minister also referred to the White Paper that the Government have prepared, which is a succinct and well put together report which I think that we can all follow.

The House will have to excuse me if I am not able to mention all the subjects that were included in the debate. My former hon. Friend, the previous Member for Bradford, South, Bob Cryer, took a big interest in textiles issues and I was glad to see his successor sworn in today. I know that the hon. Member for Batley and Spen (Mrs. Peacock) will make a contribution about textiles. My hon. Friend the Member for Bradford, West (Mr. Madden), too, is in the Chamber and takes an interest in that subject. The hon. Member for Keighley (Mr. Waller) may also catch your eye on that subject, Mr. Deputy Speaker.

Audio-visual, agriculture and property rights, all of which the Minister mentioned, are important subjects, but it is not possible to cover them all in a single debate. I shall therefore modestly restrict my comments to a whole scheme of ideas that the Opposition have, which would constitute a trade policy.

Many Members who have followed these debates with care are in the House today. I remember preparing for a speech by my former leader John Smith on the subject and going into great detail about GATT. The Minister went through a series of rounds, including the Kennedy round. John Smith was able to remind me gently that he had been Secretary of State for Trade in 1978 during the Tokyo round. We all have a part to play in the process but, as the Minister said, it has been going on for many years and we are now witnessing the culmination of a lengthy procedure.

I was pleased that the Minister of State was in Marrakesh and signed the agreement on behalf of Her Majesty's Government. I hope that he managed to see the Atlas mountains from the Mamounia hotel and I am sure that he enjoyed the short experience of being out of the country at that time. The Uruguay round, as the Minister said, goes back more than seven years. It has taken a hike around the conference tables of the world from Punta del Este to Morocco—not a voyage as exciting as that from the halls of Montezuma to the shores of Tripoli, but a fruitful voyage for all that.

The Minister ended his speech where I would like to begin: the Uruguay round has achieved what it set out to achieve—a further liberalisation of world trade. There will be tariff reductions on a wide range of industrial goods, services and intellectual property within the frame and we have a new World Trade Organisation—according to the Minister, 40 years in coming—which will come into effect once the United States Congress has agreed the entire Uruguay package.

Here I make a little warning sound about the ratification of the treaty in the United States. Opposition to the treaty is not so great as opposition to the North American Free Trade Area agreement. We witnessed a great deal of pork barrel politics in the United States Congress to obtain many concessions from the administration in order for the latter document to be signed, but we do not feel that a similar thing will happen on the Uruguay round. Nevertheless, proceedings in Congress can be lengthy and if Congress does not ratify the treaty by the end of its parliamentary session the World Trade Organisation will come into effect, not on 1 January 1995, but on 1 July 1995. That is important and significant, and it is helpful that the President of the United States has committed himself and, one hopes, Congress, to completing all its passages this year.

One of the advantages of the new agreement is the speed with which trade disputes should now be settled between nation states which are signatories to the Uruguay accords. My hon. Friend the Member for Workington (Mr. Campbell-Savours) mentioned that briefly, as did the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who also mentioned it in relation to the rapidity with which disputes can be settled. One of the defects of the old GATT was that trade disputes simply went on and on and on. The procedures were cumbersome and it took as many as five years to achieve any result. That should no longer be the case. A dispute should be quickly and effectively dealt with and should take no longer than 18 months to resolve. I hope that those nations that wish to take unilateral action against one trading nation, for reasons that are nothing to

[Mr. Stuart Bell]

do with trade, will note that in signing up to the World Trade Organisation they are signing up to a set of rules that should make such unilateral action no longer possible.

The Government are right, in that sense, not to vaunt the economic benefits of the Uruguay accord as they are nebulous and frankly unquantifiable. The Minister rightly referred cautiously to the Organisation for Economic Co-operation and Development, which spoke of a boost to annual world income of $270 billion. As the right hon. Gentleman said, that can happen only when the Uruguay accord is brought fully into effect, which will take some 10 years. While we welcome the breakthrough in the Uruguay round of the GATT talks, it will be 10 years before the full fruits of the accord are seen. The gains are likely to be incremental and beneficial.

The Opposition have taken the view that it is better to have a successful conclusion to the Uruguay accord than no conclusion at all. It is better to have an international framework than no framework. However, whether the 125 participating countries really give the World Trade Organisation their full support, and whether there will be the consequential positive economic gain to which the OECD alluded, only time will tell. I throw to the Minister the biblical quotation:

> "By their fruits ye shall know them."

We shall measure the World Trade Organisation and the new agreements by the actual fruits that come as the years pass.

Mr. George Howarth: And the tomatoes.

Mr. Bell: Yes, and the tomatoes. Although always reluctant to answer sedentary interventions, at least on this occasion we can say that they are not square tomatoes. We were happy to note that in Austria the square tomato party did not swing the votes in the referendum on accession to the European Union.

In their White Paper, the Government rightly draw attention to their role in keeping the Uruguay negotiations on the rails when they were threatened with severe disruption and trade wars between the United States and the EU. The hon. Member for Somerton and Frome (Mr. Robinson) referred to the modesty with which the Minister put forward his proposals and the hon. Member for Lancaster (Dame E. Kellett-Bowman) actually went out of her way to praise Sir Leon Brittan. It was left to the Minister to praise the Prime Minister. It is interesting to see where the praise lies. We all know that victory has a thousand fathers, but defeat is an orphan; there are certainly no orphans today.

If the Government did indeed play a part in ensuring that the accords were signed, their role was less than noble when it came to the actual content of the accords. While the Minister was able to tell the House that 23 per cent. of our exports come from services and to refer to a figure of £23,000 million per year, and while he was able to say that we are the fourth exporter of invisible exports—it was difficult for him to get around that phrase, but we understood what he meant—nevertheless there is a feeling, which is reflected in the Government's document on competitiveness, that we have not done so well in financial services exports as we might have done. We were not able to impose a fully-fledged agreement on financial services on the European Commission and in the negotiations with the USA and the other participating countries. While the Minister was right to vaunt the great benefits that came from the so-called GATTS, the feeling is that we did not do well enough in financial services.

We must hope that the Government will follow up on their own commitment, as expressed in their competitiveness document "Helping Business to Win", and will vigorously pursue the issues of financial services—banking, insurance and securities—telecommunications, maritime services, aerospace and steel. I am glad to see in the Chamber my hon. Friend the Member for Alyn and Deeside (Mr. Jones), who I am sure will make his own points about aerospace. The conclusion was not so successful as it might have been, had there been more important input in terms of world share of financial services.

Mr. Ian Taylor (Esher): I share the hon. Gentleman's frustration at the failure to liberalise financial services, but does he agree that the biggest problem was not failure by the British Government but the intransigence of the US Government and the need to put that aside to achieve overall agreement, with the intention of continuing to consider financial services?

Mr. Bell: Yes. The Minister indicated that there were many occasions during the negotiations when we were close to a trade war, so there was much to-ing and fro-ing. There was a feeling that US interests in financial services did not extend beyond American Express and improving its position in respect of financial services. Nevertheless, the new agreements offer the possibility of pursuing that aspect. The Government's competitiveness document indicated that they will do so. We shall keep them to that and monitor progress.

The Minister pointed out that there were about 24 signatories at the beginning and that the number is now up to 125. There is the prospect of China joining GATT through most favoured nation status. Saudi Arabia is joining the agreement, and it is possible that Russia and Taiwan will do so. We take the view that trade is a tool of co-operation and not of coercion. The more countries in membership of GATT are prepared to live by the rules, the more we shall be happy and trade will improve.

The third world aspects of GATT preoccupied many. My hon. Friends the Members for Bradford, West and for Nottingham, South (Mr. Simpson) are in their places and if they catch your eye, Mr. Deputy Speaker, they may refer to that topic. The basic premise was always that a successful conclusion to the Uruguay round would increase world trade, be better for consumers by offering wider global choice, perk up economies currently suffering from recession, and bring improvement over and above the so-called Trinidad terms to assist third world countries to alleviate their massive debts to western banks and Governments. We hope to see a lift for the third world with higher agricultural prices and better access to world markets.

The conclusion of the Uruguay round brought a host of measures designed to protect less developed countries. We welcome the protection granted in terms of longer transition periods, due process rights provided under the new understanding on rules and procedures governing the settlement of disputes, special needs clauses to promote transfers of technical aid, and acceptance of the necessity for flexibility in imposing obligations under the Uruguay round which less developed countries might have trouble observing. We remain concerned about the ability of the poorest countries to protect their food producers against cheap imports and dumping. We are anxious that developing countries should be given the freedom to protect infant service industries and other key sectors of their economies, which will require surveillance and supervision.

Another disappointing failure which goes to the heart of the Uruguay round is one to which the Minister, not surprisingly, made no reference. I refer to the absence from GATT of any platform of social rights. There is no reference to that in the Government's recent competitiveness document either. Trade should be fair and balanced, and should address the aspirations of workers and consumers alike. There is a theoretical case for free trade, in that it is meant to provide the most efficient producers with access to world markets. It allows lower prices and forces domestic producers to be more efficient. Consumers and the most efficient companies benefit. Therefore, there is public interest in choice through free trade.

We are the world's fifth largest trading nation, but I must disappoint those hon. Members who are not Francophiles, although I do not include the hon. Member for Esher (Mr. Taylor). The French, as the world's fourth largest exporters, are ahead of us. It must be in our national interest to pursue a policy of fair and balanced trade, where that trade is fair and balanced in other countries. The Uruguay round makes no provision for workers' rights: the only reference is that they should be part of a working programme for the new World Trade Organisation.

We look for allies in our cause. We are not alone in seeking to improve environmental and labour standards in relation to trade. My hon. Friend the Member for Knowsley, North (Mr. Howarth) will wind up on the environmental aspects of the Uruguay round, but the European Commission recommended an overall evaluation of trade benefits for 60 developing countries, with new incentives for improving environmental and labour standards, when the generalised system of preferences is reviewed. We are entitled to draw the attention of the House to GATT's failure to address workers' rights, which has meant an imbalance in world trade. There was a missed opportunity to incorporate such rights in the Uruguay round.

We welcome the extension to the principle that industrial products should not be the only subject of GATT but that it should embrace also intellectual property rights and agriculture. We are disappointed that workers' rights are not covered. We shall continue our efforts to ensure that they are not forgotten, with canvassing and campaigning in the European Union, World Trade Organisation, European Commission and European Parliament.

It is worth remembering that the European Parliament will ratify the GATT agreement, which is something that this House will not be doing. I understand that this is our last debate on the subject, but there is room for us to make headway elsewhere, with improvements to basic human rights on employment in relation to fair and balanced trade. That could be achieved at no detriment to the developing world and without enhancing protectionism. If there is to be fair and balanced trade, there should be a proper platform for workers' rights and for the environment.

We envisage world trade based on GATT, and a World Trade Organisation based on a strong environmental and workers' rights platform which leans strongly towards the third world. The long section on trade in the competitiveness document to which the Minister referred deals with the mechanics of investment and world trade, but contains no overarching strategy: there is movement, but no action.

We always welcome the peripatetics of the Minister for Trade, who is not with us today. We understand that he has just returned from another trade mission to Saudi Arabia. We admire his zeal, zest and commitment to his task. If there is a Government reshuffle, we hope that the hon. Gentleman will keep his job. As we are not malign in any sense, we hope that all the members of the Government's trade and industry team will keep their jobs. When we are on the Government Benches, we shall expect the same consideration and generosity.

Mr. Derek Fatchett (Leeds, Central): My hon. Friend takes solidarity too far.

Mr. Bell: It may not exist to that extent, but as Napoleon said—he was not necessarily a free trader—it is but a single step from the sublime to the ridiculous. Many Government Ministers may shortly discover that to be the case.

The competitiveness document indicated that the Government will monitor GATT's progress in relation to a host of issues to which the Minister referred and its progress within the European Union on financial services, telecommunications, maritime services, aerospace and steel. We do not believe that the Government have a strategy to reverse our decline in world trade. The competitiveness document revealed that our country's share of world trade has declined over the years and now only holds steady. The French—our European partners —have seen their share of world trade increase.

We are pleased that the British Export Credits Guarantee Department has resumed its export credit insurance cover for Brazil and that in the past two years it has resumed cover for 14 additional countries where business has been renewed. Nevertheless, the Labour party is not satisfied, and never will be, that the dead hand of the Treasury does not lie across the Department of Trade and Industry. The Labour party is not satisfied, and never will be, that our exporters enjoy the same support and advantages as, for example, the French or the Germans. The Labour party is not satisfied, and never will be, that our exporters can match foreign competition on the level playing field to which the Minister referred in terms of price, technology, product and package. "What is the package?" is so often the cry in the City of London.

Mr. Malcolm Bruce (Gordon): The hon. Gentleman makes an important point. Is he aware of the fact that a project worth more than £100 million, which might have come to this country, went instead to Italy because the export credit guarantee premium was 13 per cent. in the UK compared with 8 per cent. in Italy—a difference of more than £6 million on the contract, which was mostly profit? That is why we are losing out.

Mr. Bell: Obviously all Governments, including ours, put the best face on every aspect of their trading relations. We have heard many a time how the Government have increased export credit guarantees in terms of number, and how the average premium has been reduced. We are also aware that the Treasury goes behind the back of the

[Mr. Bell]

Department of Trade and Industry and sets premiums which are far too high and thus do not make the firm that is seeking to export competitive. We are trying to weed out the problem which exists between the Department of Trade and Industry and the Treasury. That is why I say that the package offered to exporters is not so good as that offered to exporters in Italy, or certainly those in France and Germany.

When we look at the package available for exporters in relation to the GATT agreement, again we are found wanting and it is inadequate. We know that the Department of Trade and Industry is aware of that. The Ministers know it, but they know that they cannot lift the dead hand of the Treasury from across our export trade. What we shall have to ensure, what we shall have to prepare for, and what we shall see happen is that the day will come when a Government are in office who will ensure that it does.

4.52 pm

Mr. Mark Robinson (Somerton and Frome): Any negotiation involving 123 nations will always be complex and difficult to bring to a successful conclusion, and the Uruguay round is no better an example of that. That is why, at various times, none of the participants could be certain that the negotiations would reach a satisfactory conclusion, because the length of the negotiations meant that political circumstances and events—dare I say elections?—would intervene, which caused the positions of the participants to shift with the electoral evening tide or the morning glow of the arrival of a new Government. That is why, at certain stages, the negotiations became extremely polemical. That, perhaps, was to be expected, but it made it extremely difficult for the parties concerned.

I mentioned earlier the role that the British Government were able to play in trying to heal and soothe some of the gulfs that opened up in regard to those polemics. For example, one must pay tribute to my former right hon. and learned Friend, the commissioner in Brussels, Sir Leon Brittan, for the work that was done to bring about the Blair House agreement. It seems like a long time ago as we move on from the final conclusion of the Uruguay round, but had not that work been effectively concluded, we would never have got on to the second stage, which was to try to ensure that the French came into line with the rest of the Community so that the European bloc was able finally to reach an agreed negotiating position.

It is a fact of life that any negotiation of that size, involving as it did 123 nation states, will be a series of mini-negotiations before the final one. I have had the privilege and experience of working in international secretariats, so I know a little bit not just about the 11th hour of negotiation, which always seems to be an inevitability, but about the umpteenth hour of the umpteenth night, when, finally, one is able to reach the desired objective. Would that it was possible to do that in some other way, because one often has a sickening feeling when coming to the negotiations. We know before we start that it will not be before the umpteenth hour of the umpteenth night that we will be in a position to reach the desired objective. When the history of the negotiations comes to be written, Britain's part will increasingly be seen as having been of the highest significance.

I take the point made by the hon. Member for Middlesbrough (Mr. Bell), the Opposition spokesman, that we could not achieve everything that we wished in terms of financial services. I do not think that we ever expected that it would be possible through the Uruguay round to achieve success in every single field. At the end of the day, one has to decide the areas where one will give ground to allow the negotiations to be completed, and those where one will fight to get the most satisfactory conclusion that one can. But, of course, the great advantage of the Uruguay round and its predecessors is that the final signing of the agreement is not the end, by any means, of the process. That is where the World Trade Organisation will play a major part.

For those of us who believe in free trade, and I believe that most of us do, the world stands to gain not from tariff barriers or protectionism, but from the ability to increase markets. That is as relevant to the developed world as it is to the developing world. It is through the success of the international mechanisms which have grown up since the second world war that considerable achievements have been made. If it had not been for the honing of those negotiating mechanisms, the prize, which the Uruguay round and the GATT agreement delivered, would not even have been closely within our grasp. It was not just a desirable prize; it was an essential one.

We all talk about growth in trade, and growth in world trade. Those of us who discuss those issues believe that continued growth is essential. We believe in developing new markets. We believe in developing new trade opportunities. I pay tribute to my colleagues on the Front Bench who go around the world fighting for markets and opportunities, and new ones are developing all the time. With the return of South Africa into the international community, I know how hard they have worked in terms of trying to open up the opportunity that the arrival of a new Government in South Africa is bringing to the world trade process.

It is a pity that it is sometimes necessary to resort to threats in the negotiations, but I do not believe that any of what was ultimately achieved in the Uruguay round was achieved as a result of such threats. Far from helping the process, threats merely slow it down and breed uncertainty —uncertainty that feeds into the market place in our constituencies, the businesses that we are trying to encourage and the employment opportunities that we all spend so much time discussing here.

In my rural constituency, where issues relating to agriculture and agricultural machinery are considered extremely important, there was great relief when the Uruguay round was completed—although in some respects that relief has now turned to uncertainty. No sooner were the negotiations over than the so-called beneficiaries were asking, "What does this mean for me?" With such a protracted timetable, farmers and business men cannot always find ready answers to their questions—not because Government Departments are sitting on those answers, but because further negotiation will inevitably be necessary to produce them.

I observed that uncertainty the week before last, when I visited the very successful Royal Bath and West show in my constituency. The conclusion and implications of the GATT were at the forefront of farmers' minds. Britain, after all, will benefit from a freer market in agriculture, but that freer market is still slow in arriving.

There is no doubt that the agricultural community welcomes the more market-oriented approach to agriculture and the impact that it will have on many agriculture-related businesses; but they, like any other business, must plan for future opportunities, growth and marketing. They cannot make their plans until they know what the consequential decisions will be. At a time when the value of the pound has fallen and opportunities have increased—especially in the dairy sector—farmers are frustrated by the fact that, although they can see the opportunities that exist, many of those opportunities still lie beyond their immediate grasp.

The same is true of small and medium-sized businesses. They are all aware of the trading opportunities that exist in the outside world and feel frustrated when they come up against the barriers that are still preventing them from expanding their trade further. Let me add, however, that it is easy for businesses to think that they cannot make progress when often they can.

A printing company in my constituency—Butler and Tanner—recently decided to take on the German market head on. Others in the industry had said that it was not worth trying and that the company would have little success in winning orders; but it nevertheless took its marketing abilities across to Germany and won the order involved. When I asked what had been the most difficult obstacle to overcome, the managing director said that it had been the shock felt by a German company seeing a British company actually coming over to win an order. When I asked how the company had coped with the language barrier, he said, "We were lucky; one of our important marketers is a fluent German speaker. Without that linguistic ability, we could not have made the breakthrough."

I believe that such opportunities are available to British business—not just in Europe but in the United States and, indeed, throughout the third world. I am thinking particularly of the far east. Sadly, many business men are frightened by the prospect of going there and trying to win orders for their companies; but the chance of success is undoubtedly there if they are prepared to make the leap and visit Japan or south-east Asia.

Some of the barriers are breaking down. Those who have turned to the Department of Trade and Industry for help in that regard have been extremely surprised and pleased at the amount of service available to them, but it is not simply a question of saying to the DTI, "I should like to do business in a particular part of the world: please tell me how to do it." Businesses must know the markets for which they are heading, make their plans and then say to the DTI, "This is what we propose to do. What support and help can you give our marketing exercise?" As I am sure my hon. Friend the Parliamentary Under-Secretary of State will agree, businesses that have taken such action have been highly successful in breaking down barriers—artificial barriers, rather than the kind that were discussed in the GATT negotiations.

The future is just as important as the successful conclusion of the Uruguay round. We cannot be complacent simply because of the considerable achievements in the removal of tariff barriers to which my right hon. Friend the Minister for Industry referred. Five per cent. is 5 per cent. too much. We must keep up the pressure, encourage our partners and work together at the heart of Europe, while also using our influence. The negotiations were a classic example of Britain's ability to work at the heart of Europe, bringing Europe together but then acting as a bridge between it and the United States.

Other parties to the negotiations may have regretted the fact that, to the outside world, the heart of the negotiations seemed to lie on one side of the conundrum. Everyone took it for granted that, once the argument that had raged between the Americans and the Europeans was successfully concluded, the other countries would fall into line. It was assumed that the remaining issues were not complex or difficult; in fact, they were extremely complex and extremely difficult. The negotiations lasted for many hours, and different negotiations took place in parallel. Perhaps because the issues involved were not so close to home as other matters covered in our financial newspapers, they did not receive as much coverage as the other side of the equation.

We have to work on and encourage the World Trade Organisation not to fall into a plethora of bureaucracy, but to develop an action programme to take forward those important issues. It is easy to sit back and say, "We have created the World Trade Organisation; let us relax now." Those at the front line of marketing, business and agriculture want the process to continue so that the opportunities that clearly exist can be secured and their competitiveness and businesses will grow. That will have an impact on employment, which we discuss a great deal in this place.

Unemployment falls because jobs are created; it has been said time and again and it is a fact of life. Successfully building up and managing our trade opportunities leads to an increase in employment prospects, as we have already seen over the past few months.

Reorganisation is still taking place in British industry. Jobs are still being lost, but at the same time jobs are being won which are bringing down the overall level of unemployment. That is happening only because of the market opportunities that are being created at home and overseas. The opportunities that are created overseas bring further job opportunities to other industries that do not naturally or necessarily export overseas, but will benefit from those companies which do.

Over the next decade, we can look forward to a period of great opportunity for Britain in terms of its trading potential. We can do that with even greater confidence because of the work that went into securing the success of this very complex and complicated negotiation.

In the short time available, my right hon. Friend the Minister was able only to touch on the heart of the subject matter which is contained in the voluminous documentation with which some of us are familiar. Without the many hours of hard work that not just British officials but officials from all over the world put in to secure the success of that complex negotiation, we would not perhaps be looking forward to the next 10 years with the same optimism.

After a prolonged period of recession, there is a temptation among commentators to think that it will never end, yet I visit businesses and hear stories of improved order books, fresh opportunities and successful balance sheets. I could easily name a variety of companies that I have visited in my constituency in the past few weeks. I have already talked of a major printing company and Cuprinol is another company in my constituency. I could go on and on. I have noticed changes from a year ago.

[Mr. Mark Robinson]

When I walk into a business—whether it is a large or a small one—the first question I always ask is, "How is the order book looking?" The prognosis 12 months ago was extremely pessimistic. That pessimism has gone. The position is not uniform; there is more pessimism in construction than in other sectors, but confidence is growing and gradually making its way across the economic front.

I know that at times it is difficult for the Opposition to recognise that because it goes to the heart of much of what they say in terms of their criticism of the Government and the Government's attitude to the economy and trade. That is quite understandable, but as the climate improves and the volume of trade grows, as we see Britain as having one of the most successful records of growth in trade in the European Community, and as we get the figures month after month, the general public begins to recognise them and the aura of confidence starts to return.

As we move on from the GATT negotiation into the next decade, in the next two or three years we shall be taking a different view of the British economy from the rather jaundiced attitude that some people take at the present time. If one is prepared to go out and ask the questions, the seeds are there. They are growing day by day. It is no accident that unemployment is starting to fall, the volume of trade is growing and export opportunities are improving. The signs are there and the recovery is under way.

It always takes the public longer to recognise recovery. It is often six months to a year behind, just as the end of the boom was not noticed, except by connoisseurs, for a year if not two years after it had actually run out of steam.

I say to businesses in my constituency which tell me about the growth in their order books that now is the time to plan for the future growth of their trade. Now is the time to be thinking about making investment decisions; now is the time to be contacting the bank manager to try to persuade him of the strength and relevance of the business. If companies are involved in exports, now is the time to be going out and looking for market opportunities, which certainly exist and which the successful GATT negotiation has created.

Mr. Deputy Speaker (Mr. Michael Morris): Before I call the next hon. Member, may I remind hon. Members that this is a debating Chamber and not a Chamber in which the general post is delivered and dealt with.

5.16 pm

Mr. Denis MacShane (Rotherham): I am sad that the House is so empty for this important debate. The Uruguay round and the creation of the World Trade Organisation will touch and affect everybody in the world, from my constituents in Rotherham to the poorest peasants of the Amazon and India.

Although Napoleon said that England was a nation of shopkeepers, there was really no excuse for sending a grocer to sign the Uruguay round in Marrakesh; every other leading country in the world sent its top Trade Minister. I regret that the President of the Board of Trade, who would be Prime Minister, has not graced us with his presence this afternoon.

I read the GATT treaty in full. I put a diskette into my computer and started to print it out. It was 100, 200, 300, 400 pages—more than 500 pages of densely printed text, a treaty that bears some close study. Socrates said— *[Interruption.]*

Mr. Jacques Arnold (Gravesham): When the hon. Gentleman refers to those hundreds of pages of detailed text, in the light of what he said about my right hon. Friend the Prime Minister, will he bear in mind the fact that not only did my right hon. Friend master all that detail, but he pushed very much of it through?

Mr. MacShane: I referred not to the Prime Minister but to the President of the Board of Trade, who would be Prime Minister. If the hon. Gentleman would listen, he might know what I was talking about and might understand what he will be talking about later on. Socrates said that any politician who did not know the price of wheat was not worthy to hold any kind of office. That 2,000-year-old adage is true today. We need to know exactly how world trade works in all its intimacy.

The Uruguay round and the new World Trade Organisation will go far beyond trade in finished goods and will cover trade in services and, most important of all, trade in ideas. I believe that "intellectual property rights" is the rather pompous term for what we would call an idea. We are now talking about the buying and selling of ideas, the putting of a price on an idea or a patent that can be injected through biogenetics into agricultural produce and medicines, which will mean that an extra royalty can be demanded from the poorest in the world. That will significantly alter the way that we regard world trade. Patents are power and biogenetics will substantially alter the way in which we trade ideas with each other.

I am not sure whether I speak for all Opposition Members, but I strongly favour free trade. It is, however, ironic that in the previous half century free trade expanded most quickly when full employment lay at the heart of policy on both sides of the Atlantic. The Minister for Industry said that trade was not a zero sum gain. I wish that he were right, but, alas, in the past decade, many people have become substantially worse off because of deregulation and the application of full neo-liberal free trade ideas.

In Mexico, the purchasing power of a worker is about 50 per cent. of what it was 12 years ago before the Mexican Government implemented free trade ideas which culminated in the North American Free Trade Agreement. I did not especially want to cite the case of Rotherham, but the majority of my constituents are worse off now in terms of their purchasing power than they were 15 years ago because of the application of neo-liberal free trade ideas.

Mr. Jeremy Corbyn (Islington, North): Is my hon. Friend aware that one of the consequences of the application of free trade ideas in Mexico has been a massive uprising by the very poorest people in the south? Indeed, the rallying point for most of those who took part in the rebellion earlier this year was opposition to GATT because of the implications for their standard of life, their jobs and their ability to pursue sustainable agriculture.

Mr. MacShane: I am grateful to my hon. Friend who is quite right. The many strikes taking place in southern China, which are very little reported in the press, are being organised by victims of the application of uncontrolled free trade policies. They have risen up and demanded their share.

The worst protectionism exists when workers do not earn enough to buy what they make or to protect their families, homes and communities from hunger, poverty and misery. That was very much the message of the European elections. In France, the extreme far right Philippe de Villiers' list powered to third place on a solely protectionist programme. In Italy, Mr. Berlusconi and the fascist MSI party also ran on a protectionist, corporatist programme. A worried Europe is voting against free trade and for protectionists such as Jimmy Goldsmith and Mr. Berlusconi.

One cannot divorce trade from the social context in which it takes place. That was recognised in the 19th century by the Tory party. A poem from the 1850s reads:

> "We raise the wheat—they give us the corn
> We sift the meal—they give us the husk
> We peel the meat—they give us the skin
> And that's the way they take us in".

That was an American slave song from the mid-19th century. Of course, at that time, slavery was considered to be an acceptable part of the trading relationships between modern nations.

Today's slaves are the 10 million in the prison camps of China. Above all, they are the children who, under free trade, are increasingly being forced to work. I am sure that many hon. Members have sons and daughters, perhaps even grandchildren. How would they feel if one of their children were among the 50,000 aged between three and a half and 15 who work in the match and firework industries of Tamil Nadu in India? How would they feel if their child were among the 25 per cent. of workers in the glass industry in Uttar Pradesh who are children and who have to carry molten glass on which adults then work? That is the world of free trade that the Uruguay round, GATT treaty and WTO need to consider if we are not to experience a disintegration into the type of protectionism exemplified by the votes that took place across Europe on Sunday.

The Minister for Industry referred to the Havana charter which was to set up an international trade organisation —an ITO—in 1947. I apologise, Mr. Deputy Speaker, but I must quote directly from the key clause which stated that

> "all countries have a common interest in the achievement and maintenance of fair labour standards related to productivity, and thus in the improvement of wages and working conditions as productivity may permit. The Members recognise that unfair labour conditions, particularly in production for export, create difficulties in international trade and accordingly each Member shall take whatever action may be appropriate and feasible to eliminate such conditions".

That clause in the Havana draft treaty was sufficient for the United States Congress to refuse to ratify it so that in 1947 we had only a provisional treaty, not a proper one. I fear that Congress may not ratify the Uruguay round, despite President Clinton's efforts to sell it, because the treaty now setting up the WTO does not take sufficiently into account social and environmental considerations.

Even as we debate, the general conference of the International Labour Organisation is taking place in Geneva. I was there at the end of last week and nearly all the speakers—Heads of State and Employment and Labour Ministers—referred to the need for a social clause in the GATT treaty. Some were for it and some were against, but I welcome the call of the President of the Swiss confederation—that great free trading nation—who wanted a link between the ILO and the WTO. I believe that the House should also welcome such a call.

I also welcome the call of the Secretary of Labour of the United States, Mr. Robert Reich, who insisted at a meeting that I attended last Friday morning that the full respect of trade union rights was a basic condition for access to the world trade system. The same call was heard from the new Labour Ministers of South Africa and Russia, but, alas, our Secretary of State for Employment was notorious by his absence. When great world issues are debated, Britain is not present. It is not punching above its weight or below the belt—it is not punching at all.

As I represent a steel constituency, I am especially concerned about subsidies. I agree that the subsidies paid to many steel producers around the world create an unfair market in which the technically advanced and highly proficient and co-operative workplaces of our steel industry are finding it difficult to compete.

More important than the question of subsidies are the questions of demand and of manufacturing industry, but, perhaps, that is for another debate. If we are to fight our corner on subsidies—a point raised by Conservative Members—we need to be at the heart of Europe, arguing in every corridor and at every table for our position. We have to be in tune with our partners in Europe instead of opting out from nearly every policy that they put forward.

We also need to be in tune with our trading partners across the Atlantic, instead of, as at Marrakesh, when Micky Kantor the United States Trade Representative spoke out powerfully for social clauses in the World Trade Organisation, our representative, with all the third-world dictatorships, argued against those ideas.

Much mention has been made of Sir Leon Brittan and Peter Sutherland. Mr. Sutherland, as many hon. Members will know, is leaving GATT and, from the Opposition side of the House, I should be happy to nominate Sir Leon to succeed him. Certainly, if the Government keep on running Sir Leon as President of the European Commission, he stands no chance. In his most recent book and speeches, he has started to acknowledge the importance of a social Europe and of linking trade to social accountability and responsibility. It may be simply an election address, but I take him as a serious man. He puts pen to paper and publishes pieces and we take him at his word. We also need to pay tribute to President Mitterrand, to Prime Minister Balladur and to US Trade Representative Kantor for their insistence throughout the winter and into the spring that the linkage of trade and workers' rights is important in the new world trade system which we are creating.

I believe that the House would like to see a link between the World Trade Organisation and the International Labour Organisation. I hope that it happens soon, as my hon. Friends sit on the Government Benches arguing for that link and instructing our diplomats and civil servants to argue for it. We need a social clause based on ILO conventions Nos. 87 and 98 and the elimination of child labour as a fundamental pre-condition for access to the world's trading system.

The hon. Member for Somerton and Frome (Mr. Robinson) referred to the need for business to plan. I agree completely with him, but, as business has to plan, so we need an active Government who plan. The hon. Gentleman did distinguished work for the Commonwealth Secretariat and we need such international organisations to link up and to plan. He called for an action programme and I agree with him. We need an action programme for social and environmental rights, which are built into the new world trading system that is being set up. Yes, I am for a world

[Mr. MacShane]

of free trade and trade that is fair. The way in which to make it fair is to ensure that trade adds not only to the wealth of nations, of multinationals and of banks, but to the wealth of all individuals and the communities in which they live, wherever they be in the world.

5.32 pm

Mr. Ian Taylor (Esher): I am delighted to be able to follow the hon. Member for Rotherham (Mr. MacShane), who entered the House not long ago and who has a certain deprecating tone in his speeches, which, in time, I am sure that he will justify.

The debate is timely because the results of the GATT negotiations are lying in front of the House and it gives us an opportunity to consider carefully their implications and the prospects for the future of world trade. Several hon. Members have rightly paid tribute to the people who were most notably involved in ensuring that a deal was struck at Marrakesh—Arthur Dunkel initially, followed by Peter Sutherland. My hon. Friend the Member for Somerset and Frome—

Mr. Mark Robinson: Somerton.

Mr. Taylor: Somerton and Frome; I almost got it right. My hon. Friend pointed out that we tended to focus on the European-American negotiations, but when all the rest of the countries—about 111, or perhaps more—tried to come together to agree, it was a complicated procedure. So, credit is undoubtedly due in that respect, as the GATT organisation performed miracles. I add my own tribute to Sir Leon Brittan for his mastery of detail. One of the attributes of a Commissioner who is handling trade disputes is a brain that can get round some rather complicated and somewhat arid details. He undoubtedly did that, with great gusto, and was more than a match for his opposite numbers, such as Carla Hills and others from the United States. Sir Leon's work galvanised the arrangements and was warmly supported by the British Government.

Nevertheless, the point that I stress is that the European Community was negotiating as one. It is a classic example of the Community as a single unit being in the British interest. Certainly, in trade negotiations, the Community has the right and the responsibility to negotiate on behalf of the contracting parties to the GATT series of talks. I do not believe that we would have got anywhere near a deal if all 12 individual member countries of the EU had negotiated separately. Indeed, it is almost certain that we would never have reached a starting point for negotiations. Also, we would never have got as good a deal in the face-to-face negotiations with the Americans if we had not been negotiating as a trading bloc of 340 million people with one spokesman. Let us put the European elections behind us and concentrate on what benefits a positive approach by Britain to our role in the European Union can give to the people of Britain, because there is no doubt that that unified, single negotiating position on behalf of all the individual contracting nations was a good example of the reason why I believe that Britain's membership of the European Union is absolutely critical to furthering the interests of the British people.

Free trade is an essential part of the progress of the economic well-being of the people of this country. We are a trading nation, and there is no getting round that. Since 1947, the world has seen a reduction in tariffs from about 50 per cent. across the board to about 5 per cent. on average and almost an 800 per cent. increase in the volume of trade. In the period between 1947 and the end of the Tokyo round, volumes of world trade in manufactures had increased by more than 800 per cent. and world output by 300 per cent. There is no doubt that the post-1940s boost to the western economies has been based on the principle of removing trade barriers and of promoting the growth of the interchange of goods and services. In those circumstances, we are now in a situation where, although there were considerable impediments, which was the reason for the Uruguay round, we have long since put behind us any doubts about the benefits of opening up borders to trade and the removal of non-tariff barriers.

Some of the current figures are remarkable. Merchandise trade represents 33 per cent. of world gross domestic product and, if trading services are included, the corresponding figure is about 40 per cent., compared with 26 per cent. in 1963. Even more significant are the changes in the composition of trade. Trading in manufactured products today accounts for more than 70 per cent. of merchandise trade, compared with 50 per cent. 30 years ago. The growing percentage of that trade is in intermediate manufactured products. For the major industrial economies, intermediate manufactured products make up as much as 50 to 70 per cent. of their imports and, for some major economies, anything up to 50 per cent. of exports and 30 per cent. of imports take place within multinational companies.

The opening up of financial markets is even more remarkable. In the past decade foreign investment has grown three times faster than trade and four times faster than world gross domestic product. Those figures can be found in a speech made by Sir Leon Brittan at a conference in Portugal at the end of last November, when I had the honour of sharing a platform with him, just before the final agreements. Sir Leon said:

> "The world financial market has taken the place of national markets, easing world liquidity but reducing each individual country's macro-economic independence."

That is an important point to underline.

Although I do not make any pointed references, it is ironic that those who are most in favour of opening borders to free trade sometimes also regret the passing of national sovereignty which accompanies the opening of those borders. If one believes in free trade, one has a consequential problem in also believing in the importance of preserving national sovereignty at all costs. The world economy now has a big influence on trade and financial markets in respect of what a national Government can do.

The foreign exchange markets have tripled in terms of turnover since 1986 to reach $900 billion a day. The yearly turnover of cross-border equity transactions corresponds to 7 per cent. of world gross domestic product. Those figures provide an idea of the magnitude of what is being achieved and show the importance, for a country like ours which believes in opening borders and welcoming the prospect of free trade, of the limitations that the Government face in respect of domestic arrangements taken in isolation. We will not be able to attempt to introduce domestic policies that do not pay attention to international competition. I hope to return to that point later.

There is also now no doubt that the results of the GATT round will have a significant benefit in terms of the growth of world trade. The Organisation for Economic Co-operation and Development and the World bank have estimated global annual economic welfare gains of $200 billion to $275 billion as a result of the successful outcome of the Uruguay round. However, the gains are likely to be even greater over a longer period. One estimate suggests that the total annual gain could be $2,000 billion in 10 years' time, the equivalent of more than 0.5 per cent. added to world annual growth rates in the next decade. That is a very significant benefit and a target that we can set ourselves which would benefit enormously people in Britain and elsewhere.

I am aware of the arguments that the agreements may be less beneficial to developing countries in certain specific respects. My hon. Friend the Member for Broxtowe (Mr. Lester), who hopes to speak later, is more knowledgeable than I am about the developing world and I will leave him to concentrate on those issues. However, I do not accept that the developing world will not benefit from the expansion of world trade and the removal of barriers to its goods and services. If we analyse what has happened over the past 30 or 40 years, I do not believe that one can sustain the argument that developing countries are penalised if they follow sensible economic policies.

Reference has been made to problems that are on the horizon. Once a treaty has been proudly proclaimed and tabled, we assume that its ratification is almost inevitable. We had an example last year where that was perhaps a rather mistaken view. However, in this case, having fought very hard to get the treaty through, we assume that its ratification is taken for granted.

I was in America not long ago and I believe that that view is exaggerated. The American Senate and Congress appear to have exhausted their free-trade instincts by passing the North American Free Trade Area agreement. In the event, that was slightly easier than had been forecast. Ross Perot made a bit of a fool of himself in opposition to NAFTA. However, the anti-free trade instincts on Capitol hill were clear.

There is another problem with GATT on which it would be wise for the House to focus for a moment. America is obviously the most critical of all the countries that are required to ratify the agreement. Because of American rules, it is necessary to replace dollar for dollar the loss in revenues from tariff reductions. It is estimated that, in the first year, between $10 billion and $14 billion will have to be found from other tax-raising measures in order to equalise the budget. Although I am no expert, I believe that it is possible that reductions in expenditure could compensate for that. However, I am not entirely certain about that. The debate on Capitol hill is about what revenue can be raised in compensation.

Over five years, the cost to the US in revenue lost through tariff reductions could be as much as $40 billion. When we make the bland assumption that it is going to be all right on the night, we should remember what American politicians are now wrestling with. They are trying to decide how to make up for the tariff reductions. When I listened to Carla Hills and others, I wondered whether American politicians forgot to tell their people that there were implications in the battle against Europe and the threats of trade wars. I do not believe that those politicians told the mid-west farmers that there might be changes in the way in which their subsidies were treated or with regard to price supports.

To use an agricultural analogy, the chickens are coming home to roost. American politicians are now having to admit that the free trade push to break down barriers to their goods in Europe and elsewhere has a domestic cost which may not be evenly spread.

My next point about ratification has already been referred to, but I do not apologise for raising it again. The only Parliament to have a clear responsibility in terms of ratification is the European Parliament. At the moment, it is difficult to tell what the character of the European Parliament will be. We now know the members because the elections have been completed, but the Parliament's character is still uncertain.

I hope that the free-trading instinct, which has characterised discussion in this House, will exist in the new European Parliament. As this is the first debate since the European elections, may I say that I hope that the loss of so many excellent Conservative Members to that Parliament will not be a blow to free-trading instincts in the European Parliament when it reconvenes in a few weeks' time.

The rules set out in GATT are very important. The documents are so voluminous that it is impossible to go into them in detail. However, I shall summarise them under four headings.

First, the anti-dumping rules are extremely welcome. The second heading relates to subsidies provisions. In the speech to which I have already referred, Sir Leon Brittan drew to my attention—this point may be useful for the House—the difference in subsidies, or the definition or use of subsidies, in Europe and the United States. He said:

> "The EC systems of government tend to favour more direct forms of subsidy, such as price support, programme support, regional or social aids. In the United States, however, subsidies are more indirect, perhaps in the form of income support, research and development assistance through the NASA budgets, or pensions cover for Chapter 11 bankruptcy cases. Resolving this issue lies at the core of many of the most difficult EC/US trade disputes."

That point is worth noting. Trying to determine what is actually a subsidy when one person's subsidy is not the same as another's is a very intricate problem. Again, I pay credit to Leon Brittan for cutting through those difficulties.

The third heading is trade-related investment measures and non-tariff barriers. There is no doubt that there are various ways of skewing investment so that it affects trade, and they have been itemised and exposed in the GATT negotiations.

The final heading is connected with safeguards and transparency of dealings. Those rules which have characterised the GATT talks are extremely important and I am sure that we will follow progress under each of the headings.

There are matters outstanding, and I share the frustration that financial services were not fully part of the original deal. I certainly do not blame the British Government. Of course, we would be anxious, given the excellence of our financial services industry, to make sure that that was part of the deal. I know that we are now pushing for conclusions, but the Americans did not like opening up their market to other pressures and certainly in the financial sector they are still fairly restrictionist.

There is also a hidden problem of which I am sure my right hon. Friend is well aware—it applies particularly in respect of the Americans, although they are not the only people, of course, who use it—and that is tit-for-tat agreements, which are almost bilateral arrangements, with

[Mr. Taylor]

the Americans attempting to use their own power to obtain corresponding benefits from other countries. Of course, there is their trade Act and their Super 301 provisions. I am not an expert on either, but I certainly know that the Americans can use them very much for their own national benefit, regardless of their talk about free trade. We must be very careful to watch what they are doing.

The cultural aspect is another subject that will be of continued interest. I do not think that it is just a matter for the French. I have certain sneaking sympathies with the French position. Having lived in France for three years, I know how fond the French are of their language. We should be careful not to allow the swamping of a culture. Therefore, French worries about the impact on the French language and culture by a complete opening up are ones that I do not discount entirely, but the problem is that the French are somewhat erratic in the way in which they push their arguments. Certainly, when they were saying that we must protect the French film industry, French people were flocking to see "Jurassic Park".

Mr. Corbyn: I have some sympathy with the hon. Gentleman's arguments about the French film industry and the dangers to it. Does the hon. Gentleman accept that there are also dangers to other people's film and publishing industries, particularly the film industries in Burkina Faso, in Africa generally and in India? In the Indian case, they are well developed and under threat from the power of Hollywood unless protection is offered to them.

Mr. Taylor: Remarkably, I agree with the hon. Gentleman. What we then mean by protection is something that I would like notice about before I answer, because it is very easy to hide behind a threat to culture and then put up all sorts of barriers. The desire in the modern technological visual age not to swamp local cultures is one that I share, because in the long term it will do great harm to nations, whether they be France, India or anywhere else. But we must not use that as a simple excuse then to put up all sorts of barriers. It is a very complicated aspect of detailed negotiation.

There is a certain point on which the House would be wise to concentrate when discussing GATT, because I sense widespread enthusiasm in the Chamber for free trade. Sir Jimmy Goldsmith, a man whom I used to know and used to admire—I think that making too much money goes to one's head—possibly alone has put forward rather pertinent points which should cause us to think carefully about our enthusiasm for free trade—not to change our views but to attempt to refine our arguments. In an article in *The Times* of 5 March, which I recommend people to read, he talked about the threats from opening up trade and the dangers to competition in places such as western Europe from the new markets that are opening up in the rest of the world, with the 4 billion people who have entered the world economy with liberalisation or progressive liberalisation. He cites

"China, Indochina, India, Bangladesh and the nations which used to be part of the Soviet Union, those of Latin America, and so on."

The 4 billion people who are increasingly becoming interested in being customers and whose literacy is rising —in some cases, far too slowly—nevertheless receive wages that are as much as 90 per cent. or 95 per cent. less than those in Europe. Sir Jimmy Goldsmith's argument is that free trade between regions is not desirable. I can understand what he means. If we in this country say yes, we believe in free trade and that we will therefore have to adjust our domestic conditions to be able to compete with the newly emerging capitalist economies of the far east, clearly we will have some problems if wage discrepancies are so great.

That argument also features in discussions within Europe on the social protocol. I have some slightly unpredictable views on that matter, but the reality is that western Europe as a whole simply will not be capable of competing on wages alone. There is no prospect of doing that. All studies of comparative advantage indicate that what we have to develop in Europe—America will find the same—is value-added and the ability to have high technical skills in the work force.

Attempting to pay cheap labour or low wages in Europe as a point of principle in order to compete in international markets is no solution. There is simply no prospect of doing that. We do not even have to look as far as the far east. I believe that I am right in saying that if we compare current wages in the Czech Republic with those even in east Germany—the eastern Lander—we will find that wages in the Czech Republic are about a sixth of those in the neighbouring Lander. In Poland the figure is one tenth. Even in the broader family of European nations we see almost an inability to compete on equal terms. The answer is clearly not restrictionism. There can be no sense in restricting trade, certainly not from the countries in central Europe which we wish to be stabilised and brought into the wider Europe. In the longer term, there is no point in trying to cut ourselves off from the threat from the far east. Before Opposition Members happily leap to their feet and say, "Aha, a Tory who supports minimum wages," and all the rest of that panoply—

Mr. Corbyn: Do you?

Mr. Taylor: I do not support a minimum wage, for the very simple reason that in France, a country which I much admire, there is, sadly, a disproportionately high level of youth unemployment because of difficulty of access to the market. There are arguments, which we sometimes do not treat seriously enough, about a minimum wage, which effectively means companies subsidising the work force at a level which, in terms of their productivity, is not sensible, and then looking to the Government to subsidise them because they are doing so as a social gesture. In other countries that do not have a minimum wage, people are more readily drawn into new jobs and job creation is a bigger part of economic development.

Those are perfectly reasonable arguments. I know what my instincts are, having already said that I am not attempting to force wages down to levels which rival the ability to produce from the far east or even from central Europe.

Mr. MacShane: Is the hon. Gentleman aware that the country that has created the most jobs in proportion to its population in the past 25 years—the United States of America—has very strong minimum wage legislation?

Mr. Taylor: I am aware of that, although I am sure that the hon. Gentleman would accept that it varies from state to state in the United States. As he is obviously knowledgeable about these things, I am sure that he would also accept that there is a parallel problem in the United

States: there is a much larger pool of people who do not get any access to the jobs market, and that tends to be a much more permanent pool. There are social consequences of minimum wage legislation. We can argue the case—it is an argument that we need to have—but it is not a panacea and there are consequential difficulties.

Nor am I saying that Europe should not pay attention to its competitive position. Many European countries are out of line with other developed countries such as the United States. Non-wage costs are extraordinarily high and Germany is now beginning to feel the pressure of that. In Germany in 1992, the hourly cost per employee in manufacturing was DM42, compared with DM30 to DM35 in Japan and the Benelux countries, DM28 in France, DM25 in the United States and DM23 in the United Kingdom. Non-wage costs, which add 84 per cent. to every deutschmark paid in wages, are the main source of the differential between West Germany and other countries. When we talk about West Germany, we are specifically referring to the West German lander in the united Germany.

Mr. MacShane: I am grateful that the hon. Gentleman mentioned Germany. Is he aware that the OECD has revised upwards its forecast for growth in Germany in 1994 from 0.6 per cent. to 1.8 per cent? That means that Germany will create an extra $24 billion of wealth this year in the very country that the hon. Gentleman says has high wages, high social costs, strong unions, strong works councils and so on. Germany is on the way back—it is leading the way for a social Europe with wage costs that are taken into account when manufacturers export goods.

Mr. Taylor: I am delighted to recognise exactly the statistics that the hon. Gentleman has quoted from the OECD report. Of course, that is one of the reasons why Chancellor Kohl got the benefit of the doubt in the recent elections. The German people recognised that the German economy was growing. We should be glad about that because there is little doubt that full economic progress in this country depends on economic growth in the rest of the European Union.

I point out to the hon. Member for Rotherham that that is not an unmixed blessing from the German point of view. The German record is extraordinary in terms of producing growth. I shall make two points: first, because it works in Germany, its system does not have to be exported elsewhere in the European Union. Indeed, there is a danger in so doing because other economies may not be capable of adapting to it.

Secondly, one only has to look at recent moves by German industry to realise that all is not entirely well with regard to the social costs in Germany. Both BMW and Mercedes have built enormous plants in the United States, employing about 1,500 workers each, because the cost of employing American workers is lower than the cost of employing German workers. That is why companies have moved their workers to where the market is.

Another aspect is that we are seeing considerable continuing investment in other European Union countries by German companies. That is natural but it is related to costs. There is no question about that. More than 150,000 workers are directly employed by German manufacturing companies in this country alone. German costs are not an unmixed blessing and the German equivalent of the CBI has recognised that.

We need to be careful about costs because of the globalisation of world trade in terms of sales, sourcing, marketing products and technology. In each of those circumstances, it is possible to have a head office in one country and most production units elsewhere in the world without necessarily knowing where the product has been developed, unless one looks at the small print on it. There is nothing wrong with that. There is no point in railing against it or accusing multinational companies, because that is the way in which business is now done, and many developing countries are benefiting from it.

Certain large European countries no longer employ as many people in Europe as they previously employed. Unilever has reduced its European work force by one third over the past few years, despite having grown internationally. That is a real problem that we must watch. We must safeguard our competitive position and our understanding of comparative advantage. We must take on board the slogan, "Get smarter or get poorer".

As part of the discussion on free trade arising out of the GATT talks, we need to look closely at our philosophy of how to keep our economies growing. Unemployment will not fall simply as a result of normal economic growth. The last time that we had clear growth throughout the European Community was in 1986-90. About 9 million new jobs were created, but unemployment fell by only 3 million. As technology changes and as more people enter the labour force, we will constantly have a problem with unemployment in our western economies.

Mr. Jacques Arnold: Is not it particularly noticeable that that was the case at the time because there was growth in the number of people entering the employment markets in those countries? Today, the situation is somewhat different, and the importance—certainly in this country —of not having the social chapter is relevant.

Mr. Taylor: I accept what my hon. Friend says. We need to encourage as many people to enter labour opportunities as possible, not price them out of jobs. That is important. Certainly, I believe in the benefits of having a job, rather than being on social welfare.

For western economies, the problem remains that, even if we increase our rates of growth, unemployment will not fall sufficiently. That worries me because there is a risk that our desire for free trade could affect people in different ways. Protectionism comes through fear and politicians can play on that fear if they are unscrupulous. There is no doubt therefore that if we do not get our domestic economies or the European economy right, we could open up reactions to the good work that was done in the Uruguay round.

I should like to touch on other issues, but I know that other hon. Members wish to participate in the debate. I shall therefore conclude by saying that my hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs must take on board the fact that within the GATT round there is scope for encouraging British exports. One is not urging on him, and he would not wish to have urged on him, anything that is unfair or outside the rules, but it is important to do the very best for British manufacturers.

Recently, I had a constituency case with British Aerospace Sema. Against fierce competition from Germany, that group won an order from the Korean navy for a command and control fire system for its frigates. The important point is that the Korean navy did not have to buy

[Mr. Taylor]

British—there is no doubt that it was a keen buyer in the current circumstances. BAe recognised that it received tremendous help from the Ministry of Defence for the credibility of the system—no financial assistance was offered. The Ministry of Defence was trying to explain to the Korean navy the advantages of working with BAe Sema. That is the sort of assistance which can come from right across the board, and the DTI should be in the forefront of that.

Increasingly, the Foreign Office has trade experts in embassies around the world, and that is an area in which we can try to do our best for British industry and for financial services within the rules of GATT. I am sure that a popular application of that effort will work wonders for British industry, which still has a lot to offer based on high value-added, high-skilled and, ultimately, highly paid British workers.

6.9 pm

Mr. Malcolm Bruce (Gordon): I welcome this debate, as I asked the Government a few weeks ago to make time available for such a debate. I am glad that they have done so. I am also glad that, in a small way, I was able to assist in ensuring that the Minister was able to get to Marrakesh, given that there were certain local difficulties in the House at the time. It was my view that it was important that the British Government were there to append their signature to the treaty.

I am not surprised, but I am a little disappointed, that the debate is being held at a time when we have just come back from a two-week recess, and there is not an enormous amount of interest. One must consider that this country is a trading nation which will die if it fails to trade successfully in the new environment.

I honestly believe that we as a nation do not address collectively how we can perform better. It is not a matter of trying to make party-political points about the relative merits and demerits of the Government's policy, although we can discuss them by all means. But we must recognise, especially in the environment which will be upon us once the GATT process gets under way, that we must be much more vigorous in our approach to securing an increasing share of world trade for Britain. If we do not take that vigorous approach, there is a real danger that others who are more vigorous will produce a situation where our share declines.

I understand that many of the speeches that we have heard so far have been somewhat congratulatory about the fact that we have got here. There has been a recognition that it has been very difficult, and that the British Government, the Governments of many other countries, the European Union and the American Government played a part. All those have had to come together, and there have been many delays and obstacles on the way. All that must be acknowledged, but all we have achieved is a new environment. Simply congratulating ourselves on achieving that and not facing up to what it means is not enough. We clearly must move forward, and it worries me.

I feel like saying that if British industry is not excited and scared at the prospect, it damn well ought to be. It should be scared in a negative sense, but perhaps fear will fuel the recognition that there needs to be a real application of thought in a very competitive environment. The Prime Minister has said at the Dispatch Box on numerous occasions when the issue has been discussed—a little glibly, I think—that it is estimated that the GATT agreement could, once it is in full flow, lead to additional world trade of over $250 billion a year. It is said almost as if that trade will fall out of the sky. It will not, and it is there potentially for 125 nations to fight for. We must ensure that the United Kingdom is equipped to fight effectively to ensure that we get that share.

There are number of weaknesses that we must address. I make no apology for introducing one or two anecdotal contributions because they are often particularly relevant and practical. I shall give one example. Two weeks ago, I visited a company in the south of England which was extremely successful. It was what we would call a medium-sized enterprise, employing more than 500 people and with a turnover of £18 million. It was exporting 72 per cent. of its turnover to 68 countries. That is impressive, and the company was involved in technology associated with telecommunications.

I asked what was the secret of the company's success and I went through a catalogue of issues. The first thing I asked about was finance. The managing director said that it was not a problem, and that his only complaint about the rate of interest was that it was too low, as the company had cash in the bank. It was financed internally, and was owned by private shareholders. I make that point and immediately one is struck by the fact that it is not a typical company. It is an unusual, but successful, company.

I then asked about training. The managing director said that he had served his apprenticeship, and that he believed in apprenticeships. The company still recruited and trained apprentices. It believed in the value of skills. He said, "I am an engineer. I am proud of it, and I could go down on the shop floor and work alongside my workers and sort out problems with them. I do not think that I am typical of British management." I do not think that he is typical either.

That brought home to me the fact that there are cultural and structural problems within the British economy which somehow do not always enable us to compete as effectively. I only give that as an example. I am not saying that all companies should be like that. We could not create that, and we must build on what we have.

The managing director said that his firm could take a long-term view, and the next question I asked was how the firm approached export marketing. He said that export marketing, which made up two thirds of the firm's business, required long-term planning and investment in the market. He said, "We have a guy in Vietnam right now. We have no business there, and it will cost us tens, if not hundreds, of thousands of pounds over the next three or four years before we get any return on that investment. But we recognise that that is what we must do if we are to build up markets." Too often—I am sure hon. Members on both sides of the House have experienced this—when one talks particularly to small and medium-sized companies, they say that they cannot afford that kind of investment.

Worse than that, as far as I am concerned, are companies that get into the export market only because it is tough going at home. They decide that they had better find a market somewhere, and they go abroad. They may start to pick up a little business—particularly if they have had the benefit of a 15 to 20 per cent. devaluation—but when the market picks up at home, the tendency is to drop their new overseas customers and come straight back to the home market. When that happens, a company damages its long-term performance.

I am not suggesting that that is typical of all British companies, but I fear that it happens too often. If one compares small and medium-sized enterprises in the United Kingdom with those in Germany and Japan—and, to a lesser extent, France and the United States—one sees that there is a recognition in those countries that one must develop markets and must take medium-term views. They believe that companies must make investments in developing the market, in developing the product and in innovation to ensure added value. One needs access to finance to support those developments on a competitive basis. That is where the private shareholding in the company to which I referred was interesting.

We have had this discussion quite often, and I think that two things must be addressed. I do not wish to propose a mechanism for giving small and medium-sized companies access to funding on a subsidised basis. Most small and medium-sized companies are looking for access to funding comparable with what is available to larger companies, and where they are not required to put up so much personal security. If they do not have to put up personal security—which substantially lowers the risk to the financier—they are charged premiums on their interest rates, or whatever their financial package is, because they are small or medium-sized companies. They are a greater risk, even though the risk has been reduced by the very guarantees that have been sought. Time and again, I meet companies that complain about that.

Within that context, we must also address an issue that the Chancellor referred to in his Budget speech concerning the relationship in cash terms between large companies and small companies. That is very relevant to the matter of trade overseas. A constituent who came to see me last Saturday is a small business man. He said that, as a direct result of his inability to get prompt payment from his main customers, he had had to lay off two of his five workers. Late payment destroys jobs—simple as that. That man had to lay people off, not because he did not have the business, but because he could not get the cash to pay their wages. His cash flow problems also meant that he had to forgo potential business because he was unable to service contracts. He cited household names that typically kept him waiting between 90 and 120 days for payment. That is unacceptable. We cannot expect our small and medium-sized businesses to develop medium and long-term strategies when their major customers treat them that way. They should also be given help regarding market and product development.

When I intervened during the speech of the hon. Member for Middlesbrough (Mr. Bell), I referred to export credit guarantees and the apparent discrepancy between what is available to foreign companies and our own. I raised that problem with the President of the Board of Trade when he appeared before the Select Committee on Trade and Industry, but he dismissed it in a cavalier fashion by saying that the problem is only cited by business men who are moaning about markets that they are not fit enough to win. I do not think that such an attitude goes down terribly well with business men, nor is it particularly helpful.

In the past few months, I have visited a number of companies and I have asked their representatives whether they think that there is anything that the Government could or should do for them. It is an open invitation for those business men to offer the Minister's reply, "I don't want to know about Government. I don't need them. I am a free marketeer." Many of them say that they do not want much intervention from the Government, but they also say that the current export credit guarantees provision does not compare with that offered to their competitors.

I do not want to be churlish about the extension of those guarantees, which was welcome, but business men still tell me that our Government, unlike the Governments of their competitors, are not prepared to offer cover in more risky markets. It is a matter of judgment, but such hesitancy could be a major error. I appreciate the possible dangers of trading with the republics of the former Soviet Union. They may be high-risk markets, but investing in them should not be governed by sentiment. Should those countries achieve an economic upturn in the long term, those that take the risk in the early stages of their development will reap great benefits. Those republics will remember those countries that were not prepared to take that risk.

I was told of a major construction project where the Italian Government were prepared to make export credit guarantees available on the basis of an 8 per cent. premium. The British Government said that their premium was 13 per cent., non-negotiable, even though it was made clear that if they were able to provide comparable cover to that offered by the Italians, 80 per cent. of the contracts would be placed with United Kingdom companies. That project was worth £100 million, but the net result was that the contracts were awarded to Italy. It is difficult to give all the relevant details, but it is a matter of great concern that such a large project was lost to this country, apparently on the basis of ECG cover. I hope that the Government will recognise that such cover should be governed by a proper strategy so that there is a clear understanding of what we are trying to achieve.

I pay tribute to the President of the Board of Trade to the extent that he specifically employed experts from industry to develop market profiles and to offer informed business advice. That helpful and valuable policy has been generally successful; I have had good reports about it and I am more than happy to give credit where it is due.

I am also happy to note that, increasingly, I hear good reports about the efforts made by our consular officers and embassies. We no longer have an empire or the political influence and clout that we once had, so, in many parts of the world, such offices no longer have any primary purpose apart from sustaining our trade performance. Businesses now need advice and local knowledge about foreign markets to prevent them from making fatal mistakes that may prejudice market development.

Brand-name world leaders from Britain can take on and beat anyone in the world, but many small and medium-sized companies need guidance, because the cost of competing on their own is proportionally much higher than the costs incurred by those world leaders. I accept that those companies must have the will to compete and should put up their own money, but the quality of the help that they receive from the Government is critical.

The hon. Member for Esher (Mr. Taylor) referred to competitiveness in relation to wage costs. Last year, I visited southern Germany. I noted the business men's sharp appreciation of the problems facing their economy and the importance of social costs and its relationship with the economy. What concentrates the minds of those

[Mr. Malcolm Bruce]

business men sitting in Munich is the fact that they are just 100 miles from the Czech Republic. The wages in the Czech Republic are just 10 per cent. of the wages in Bavaria. The social costs issue is marginal to the fundamental disparity between the basic wages.

The attitude of those German business men was simple. They had decided that they would locate their expansion plants in the Czech Republic because they knew the country, spoke the language and it was just over the border from Germany. They felt that that was the way to protect their companies.

That strategy was understandable, but those business men also appreciated that it was just part of the policy designed to secure the long-term future of the Germany economy. They appreciated that by relocating they would help to raise the standard of living in the Czech Republic to the point where the gap would be narrowed and the ability of Czechs to buy German goods would increase. That is what free trade is all about—it has a positive benefit if it raises purchasing power. The necessary adjustments can, however, be painful.

The Germans also recognise, however, that they must continue to innovate and stay ahead of the market technically. They appreciate that they must always produce enough with which to compete because they know that they must be the world leaders, not countries such as the Czech Republic. That is why German business men value engineers and maintain their spending on research and development.

The recent report of the Select Committee on Trade and Industry on the competitiveness of our manufacturing industry drew attention to the fact that throughout the recession British companies continued to maintain dividend levels even though profits were down. The report noted that, on average, dividends rose from about 20 per cent. of profits to about 65 per cent. That obviously undermines our ability to make the necessary investment to create a strong platform for recovery once the recession ends for certain and world trade starts to move again, partly because of the end of the recession and also because of the benefits from GATT. The contradiction inherent in those dividend payments weakens our ability to take full advantage of the markets available to us.

The arguments about the social chapter and social costs may be a legitimate part of the debate, but they are in danger of being used as a political canard to obscure the fact that we must be competitive right across the board. Those who advance those arguments know that in most cases social costs are not the definitive problem. Within the European Union, Portugal has the lowest wages. Portugal also has the highest unit labour costs. Germany, which has the highest wages, has the lowest unit wages costs. That matter is not difficult to follow.

Britain is in the middle. A tennis analogy was put to me today. Someone who had just gained a qualification as a tennis coach told me that the basic instruction was, "Step to the net or stay back on the baseline. Don't get caught in the T." That is where Britain is in danger of being caught.

Mr. Derek Conway (Shrewsbury and Atcham): Typical Liberal.

Mr. Bruce: I hear the sedentary remark that I am a typical Liberal. It is the Government's position that is betwixt and between.

Mr. Jacques Arnold: I am concerned about the hon. Gentleman's comment on unit costs relating to Portugal. The Portuguese pride themselves on their relatively low level of unemployment because their employment and unit costs are low. Where does the hon. Gentleman gets his figures?

Mr. Bruce: As I recall, they are European Commission figures for the manufacturing industry. Germany, with its high social and wages costs, has the lowest unit costs. That is the most important part of the equation. If taken across the whole of its economy, the fact that Portugal has low wages may benefit its economy. But that is not the case in manufacturing, partly because it has neither the investment nor the modern plant in its indigenous industry to enable it to perform competitively. That is the nub of the point that I am trying to make.

What really matters to the United Kingdom is our ability to maintain investment and innovation so that we are competitive, and to make things on a lower unit cost basis but of a comparable quality to our major competitors. France and Germany are the countries which we should try to match. We are simply not succeeding in doing that at present.

I was astonished at the Prime Minister's intervention in the European debate about a multi-speed Europe. Although I understand the argument for it, particularly with regard to enlargement, his comment gave many people the idea that the United Kingdom might choose to opt out of the division that includes France, Germany and the Benelux countries. If that is the Government's ambition, I neither share nor accept it. If we cannot compete on equal terms with France, Germany and the Benelux countries, we must get our act together and ensure that we can do so alongside them. We are not at that point and it is foolish of the Government to pretend that we are.

There is a genuine need, which cuts across party politics and also exists outside the House, to recognise that we are not performing well enough as a trading nation to meet the aspirations of the British people. Our chronic balance of payments deficit is unacceptably high and all the indications are that it will worsen as the economy improves. If we do not invest and innovate, and plough money into research and development, we risk being unable to compete not only with high-investment economies such as France, Germany and America but with low-wage economies such as the Pacific tigers and emerging countries elsewhere. We shall then really be in the middle, which will lead to serious problems.

If we start to lose ground, we may be unable to fulfil the hopes and expectations of our people. We shall be unable to reduce unemployment or give people quality jobs with wages that enable them to aspire to the quality of life that they want. The Government may be tempted into political polarisation to ensure that—I shall put it bluntly—the cake is redistributed to sweeten their supporters, thus increasing the social divide. Many Conservative Members would feel uncomfortable about that, although some of us think that it has already happened. If it goes much further in that direction, serious social tensions may be opened up.

In his opening remarks, the Minister said—predictably and, perhaps, slightly rhetorically—that the result of the

GATT round is an opportunity. Of course, it is an opportunity and we must succeed. Those who got us to this point, despite the difficulties of doing so, are to be congratulated. But we must not say, "This is a wonderful opportunity; we are a trading nation, so everything will fall out of the sky and we shall be prosperous." An awful lot of countries, from the richest to the poorest, will be fighting for the business, and unless we have a clear and incisive idea of how to maximise our potential and make a commitment to achieving our share of that growing trade, we risk falling further and further behind. We do not have that strategy at present.

This is not an attempt to make a party-political point. It is a genuine plea to the Government to aim, along with all sectors of industry, for an objective of a balance of payments surplus, an improvement in our technical competence, a reduction in unit labour costs because we back investment, and a recognition that training, technology, investment, research and development are the keys to success.

6.35 pm

Lady Olga Maitland (Sutton and Cheam): I warmly welcome this debate. I was sorry, however, to hear the hon. Member for Gordon (Mr. Bruce) talking down Britain, which we have heard over and again from the Opposition. Bashing Britain does us no good and will certainly not relieve the problems that he tried to describe. He described a situation which we know is untrue and suggested that all the indications were that things would get worse. That is not correct. Unemployment has come down, fewer companies are going to the wall and productivity is up. What kind of world does the hon. Gentleman live in? He certainly does not live in this world. Thank goodness that I now have a chance to put the record straight.

As a great trading nation with experience built up over hundreds of years, it is appropriate that Britain should have played such an instrumental role in securing the signing of the Uruguay round in Marrakesh. We all recall the hearty sigh of relief that came over the airwaves when, after eight war-weary years of interminable stop-start negotiations, an agreement was made involving 125 countries. I pay tribute to Sir Leon Brittan who, in his role as British Commissioner on behalf of the EC, negotiated long and hard through many nights with the United States to break a deadlock which threatened the successful outcome of the trade talks. In effect, he averted a trade war.

From my knowledge of Sir Leon, I cannot think of a better person to have fought that battle. He is well known for being tenacious with a strong intellectual ability and we owe him a great debt. His work came on the back of the Government's earlier efforts. As my hon. Friend the Member for Somerton and Frome (Mr. Robinson) said, our Prime Minister has always said that he is committed to working at the heart of Europe. In doing so, he used the opportunity of Britain's presidency of the Community to get both the EC and the US back to the negotiating table to reach an agreement on agriculture. That hardly sounds like someone who is fading away and almost ready for a tombstone that says RIP.

Mr. Malcolm Bruce: You said it.

Lady Olga Maitland: Far from it. The Prime Minister gets on with it. He rolls up his sleeves. Time and again, whether the negotiation is on trade, Europe or the Irish difficulties, he is a master when it comes to getting people round a table and making an agreement. He has a sense of detail and an ability to control that brief, from which we have enormously benefited.

After that effort in 1992, Britain last year was instrumental in encouraging the Clinton Administration to extend congressional authority to permit the GATT round to be concluded. The Prime Minister then pressed for agreement on tariffs at last year's Tokyo summit. He received a deserved tribute from the Japanese ambassador to this country, who said recently:

> "Great Britain is a trail-blazer for free trade in Europe".

That is a classic example of where Britain really stands in the world, and to knock Britain in the shabby way that the Opposition do is cheap. I think that we should applaud that: one cannot buy such a tribute. The ambassador was not trying to score political points—he was simply speaking the truth.

I shall speak for a moment about the undoubted benefits that will come out of the new round. As an island nation, comfortable with trading, we can only build on GATT. We are already the world's fifth largest exporter, exporting one quarter of all that we produce. Indeed, the Board of Trade's paper, "Competitiveness: Helping Britain to Win" said that the removal of barriers and opening of doors can only help us:

> "UK business cannot keep pace with international competitors without easy access to overseas markets. It also needs . . . competitively priced inputs to its production processes. As business becomes more complex and globalised, the remaining barriers to trade and investment"

can be

> "disruptive and damaging. Eliminating barriers benefits UK business and consumers in terms of choice and price for goods and services competitively supplied in open markets."

In the fullness of time, as has already been said several times today, an extra 400,000 jobs could be generated in Britain alone as the successful conclusion to the Uruguay round and as trade opens ever wider.

I can think of several businesses in my Sutton constituency which will immediately benefit, including a company called Pobjoy Mint, which produces coins and sells them worldwide. Far from withering away, as the hon. Member for Gordon tried to suggest, that company increased its exports by £3 million last year and hopes that as a result of the round a fairer arrangement will develop. At present, in the UK it has to pay 17 per cent. VAT on its gold coins, but in Germany there is not such a heavy burden—indeed, nothing is payable.

Another company in my constituency, a small and enterprising company called DesignPlan, which makes public lighting fixtures, is breaking new ground overseas and will undoubtedly benefit. It is showing all the dynamism and energy that the hon. Member for Gordon seems to deny.

Mr. Bruce: First, the hon. Lady is putting words into my mouth that I did not use. Secondly, Britain at the moment has an annual balance of payments deficit running at £12 billion, which is the greatest of any in the European Union. Our biggest trading partner in the union is Spain, which has the second worst deficit. Does she not feel that we should address that issue at the very least?

Lady Olga Maitland: We have a capital inflow to pay for that deficit.

Mr. Corbyn: No, we have not.

Lady Olga Maitland: May I carry on? Another company in my constituency, Tomy Toys, whose European headquarters is in Sutton, tells me:

> "Ratification of GATT brings significant beneficial effects in the short, medium and long term. Failure to ratify restricts supply and choice to the consumer and increases prices."

In future, if all goes smoothly, Christmas and birthday children's toys will decrease in price. That can only be good news for parents, aunts, uncles and godparents. I agree with my hon. Friend the Member for Somerton and Frome that confidence has certainly started returning in my constituency and any Conservative Member is able to give endless examples. It is a pity that the Opposition seem to find it so difficult to recognise that.

With my interest in Northern Ireland, I know that there are companies there who will benefit. Britain is especially strong in the pharmaceutical sector and I mention Norbrook Laboratories in County Down, which this year won the Queen's award for industry for exports. By successfully selling animal vaccines world wide, that company is able to provide more employment in Ulster and in turn, with its profits, can afford to take an active role in cross-community activities. GATT will provide ever more opportunities, so in the end everyone in the Province will benefit.

In global terms, world income will be boosted by £180 billion once the round has come into effect and I trust that future generations, and Parliaments here, will remember that it was our Prime Minister who pitted his energy and commitment to that end.

A word of caution, however. For the opening of trade and competitiveness to be effective, everyone must understand the need for, and value of, free trade. It is no good any country, political party or individual saying, "Yes, I support it" and then undermining its spirit. The Opposition seem to want to have it both ways. They support GATT but when the chips are down the Labour party backed the Euro-Socialist manifesto, which argued that the principle of free trade must not be used to undermine social standards in Europe. Indeed, the hon. Member for Middlesbrough (Mr. Bell) complained that there was no mention of workers' rights in GATT. The hon. Member for Gordon also, by implication, backs the social chapter.That is contradictory, especially if those people persist in arguing for the implementation of the social chapter to a point where it will be a gross burden on businesses and undermine competitiveness. It will mean that businesses will not be able to produce goods at a price at which they can be sold world wide.

Socialists throughout Europe are beginning to wake up to free trade, but it takes time. Especially for the eastern bloc countries who, for 70 years, operated on burdensome centralised economies, learning new free trade habits takes time. However, there is no excuse for the Opposition here giving anything less than whole-hearted support to the agreement, bearing in mind the natural instincts and successful record of business in Britain.

Another word of caution. Although I welcome the establishment of the World Trade Organisation on 1 January 1995, I can only hope that all the 125 players will make the ratification process go through smoothly before implementation takes place. An agony of indecision and delay will be harmful. As Peter Sutherland, the Director General of GATT, said in his statement in May:

> "It is essential that those who are the major trading partners of virtually every country in the world must lead the ratification."

I understand that, according to press reports, only about 30 of about 120 countries which agreed the settlement have ratified the pact. In a recent interview in the *Financial Times*, Mr. Sutherland went on to express the view that

> "the birth of the WTO should not be held hostage to domestic political in-fighting—nor to transient trade squabbles, which tend to be of mind-withering inconsequence when measured against the crucial importance of the new multi-lateral trading system".

In relation to that, we might spare a thought for events taking place in Washington, as my hon. Friend the Member for Esher (Mr. Taylor) discussed, but I take comfort from the knowledge that President Clinton has given his support, as do the vast majority of Congress. I hope that, in the end, they will outweigh the doubters who might try to destroy the process.

In short, everyone must understand and obey the rules. We do not want countries across the world to revert to what I can only call "business as usual", perpetuating their preoccupation—justified or not—with bilateral trade balances. The ideals and the targets are in place, covering a range of areas such as dismantling remaining barriers, opening new markets, trade promotion, dumping and so on. However, I spot a weakness—what sanctions will the WTO have should things go wrong? It was appropriate that the hon. Member for Middlesbrough should ask how long we should wait and how we would enforce any sanctions. What sort of penalties could be imposed on a country which had been repeatedly obstructive and continually in breach of the agreements?

To what degree have we given that problem serious thought, or are we trying to shelve it by saying, "We won't fall into old habits, such as allowing five years to pass before a dispute is sorted out; we will try to speed up the process to 18 months." That is not enough. We need to know what sanctions and pressures can be put on countries failing to comply with the agreements. I hope that the trade dispute procedures will be thoroughly analysed and I trust that detailed attention will be paid to this soon. I foresee some serious problems if that does not happen.

I want to make a brief plea about the situation in China, which is a country with enormous potential. It has one fifth of the world's population, but it is locked away from the rest of the world. I hope that we shall be able to pave the way for it eventually to join the GATT process. I accept that China's economy, which has been so centralised, has a long way to go to catch up with what I call the developing nations. However, there is progress to be made and there should be some close analysis of what can be done. I am aware that China is not the easiest country with which to negotiate as it has different laws on a single issue, depending on the part of the country: the free enterprise zones have one set of rules, but there is another set elsewhere, making life difficult for the business man trying to find his way through it all.

One question that has caused tremendous debate throughout the world is the extent to which we should allow our concern about human rights to play a part in the degree to which we trade with China. We were all horrified by the events of Tiananmen square and it was natural to want to step back and say, "Close the door, shut out China and impose sanctions; we must lock China away from the rest of the world." However, that is not the way to go about things. We should use every possible method to make clear our feelings about human rights, but the danger in locking a country out of the mainstream of the world is that that country will never learn the standards that we want it to accept. More than that, it is by developing trade links that cultures can achieve the parity that we would all accept.

Mr. Corbyn: Does the hon. Lady accept that some of the worst abuses of human rights occur in the slave labour factories in the economic development zones, where children and young people are paid disgracefully and disgustingly low wages so that the products that they make can be exported to western Europe and the USA? Does she further accept that her argument of non-interference is exactly the argument that the Conservative party and Government used in South Africa during the era of apartheid? Are there not many other examples of that?

Lady Olga Maitland: It is a matter not of non-interference or turning one's back on tragedy, but of applying appropriate pressure at the appropriate time and in the appropriate way. Is the hon. Gentleman saying that only by supporting the African National Congress in exile could we have helped to solve the problems in South Africa? The answer must be no. What really changed events in South Africa was the fact that our Government worked with the South African Government and reassured them that by abandoning apartheid they would not be abandoning their hearts, souls and cultural heritage. We helped them through the process and I have no doubt that our role was crucial.

GATT will have a beneficial effect on the less developed countries. During the past year I briefly visited Sri Lanka and Malawi and I have no doubt that those developing countries, which are food exporters, will benefit from the agricultural agreements which provide greater market access and reduce subsidies. It is another example of the genuine, world-wide benefit that will be gained.

I want briefly to touch on the importance of export promotion. I pay tribute to my right hon. Friend the President of the Board of Trade and his team—he cannot operate alone—for their enormous energy, vision and commitment. I can give a personal example of that. I accompanied a firm from my constituency at a meeting with one of the ministerial team—the Minister for Trade, my hon. Friend the Member for Wiltshire, North (Mr. Needham)—and we had a fine show of support. We discussed the export credits guarantee issue and there was a satisfactory outcome. My hon. Friend the Minister for Trade has shown tremendous energy in motivating and supporting companies, big and small.

I take issue with the hon. Member for Gordon, who tried to suggest that small or medium-sized companies are ignored. That has not been my experience. Indeed, I know of very satisfied customers in my part of the world. Nevertheless, I want to encourage the Department of Trade and Industry to continue its assistance to companies trading overseas. It has increased the budget and I hope that it will be increased again. I have no doubt that the Department will reap a reward far greater than the money that it has invested. When overseas, I have noted the enormous energy that our rivals—whether the French, the Germans or the Americans—have put into competition. I am proud that we can hold up our heads, but I would like Britain to have a sharper cutting edge.

This has been an enormously important debate and I feel privileged to have taken part in it. The small businesses in my constituency can look out into a world of enormous opportunity. I can truly say that they thank this Government and our Prime Minister, who is enormously dedicated to tough negotiations to get the best possible result for our companies.

6.58 pm

Mr. Barry Jones (Alyn and Deeside): The hon. Member for Sutton and Cheam (Lady Olga Maitland) will forgive me if I do not follow her distinctive train of thought. I disagreed with much that she said, but I listened with care to the remarks of the Minister for Industry. He paid tribute, as he had to do, to those who negotiated the agreement and he emphasised that, besides rights, nations also have obligations in that important matter.

I pricked up my ears when the Minister mentioned a level playing field, because I want that for the traders and manufacturers of Britain who sell and make our nation's goods. I agreed with the Minister's remarks about free trade, but recalled the remarks of workers in Deeside, who believe that free trade should not provide an easy route for foreign competitors into markets in our country. Our constituents' jobs are at stake, and we shall always look to Ministers to make sure, when bringing home a good GATT, that our work forces do not suffer in any way.

Britain's balance of trade is of relative value in any discussion of GATT. That colossal deficit is a sobering feature of our economic national life. I do not believe that Governments have adequately addressed the massive deficit that still occurs month after month.

I will try to put this debate in context, as the Minister did in his usual courteous style, by referring to Britain's loss of manufacturing. I hope that the details announced today will not mean a further loss of that capacity in the years immediately ahead. We have seen the virtual wiping out of our machine tool industry, loss of our capacity to make titanium granules, cuts in our steel-making capability, massive loss of jobs and capability in the aerospace and textile industries, virtual quartering of our cement manufacturing, virtual elimination of our coal and shipbuilding industries, and less and less computer manufacturing capability.

All that happened in recent times. Britain's loss of manufacturing capacity since 1980 has been stupendous, and our nation has yet to realise the awesome nature of losses in that sphere of our national life. I remain critical of the then Chancellor of the Exchequer, Sir Geoffrey Howe, and of the then Secretary of State for Industry, Sir Keith Joseph. Both are now members of another place and are in many ways honoured in British public life. When they were Cabinet Ministers and dominant in their party's councils, they let Britain down. For several years after their appointment by Margaret Thatcher, they allowed too much of Britain's manufacturing capability to go to the wall. I remain deeply concerned about Britain's manufacturing capacity into the next century.

Our future will rest on two basic industries that survive, albeit in a greatly slimmed-down form. I refer to the steel and aerospace industries. The steel-making workers have been co-operative almost to a fault. They are brilliant at being productive and delivering high-quality goods. The British steel industry is now lean, competitive, successful and fit. It is an industry of which every right hon. and hon. Member can be proud—but at a massive cost in closures and redundancies.

[Mr. Barry Jones]

The past three years have seen plant closures also in Britain's aerospace industry, with tens of thousands of job losses. There are still major question marks over the future of that industry. The Government are guilty of undervaluing those seed corn industries. Without them, Britain will have a poor future as an industrial nation in the next century. If the Government will fight for and encourage, promote and invest in those industries, they can enjoy great success. The quality of their work forces, management and products is second to none.

I was perplexed to read in the business news section of *The Times* today that the bellwether of British industry, ICI, proposes to invest £250 million not in Britain but in Pakistan, and is considering several major investments in various regions of China. Recently, we saw the sale of Rover to BMW and the sale by British Aerospace of its corporate jets division to Raytheon Inc. Accordingly, there remain questions about the policies extant in the boardrooms of British industry and the nature of the Government's leadership and encouragement.

I want to raise several questions about the Airbus project in particular, which I hope the Under-Secretary of State for Corporate Affairs will answer when he winds up the debate. There may not have been a GATT agreement had not the civil aerospace industry been removed from negotiations at the last moment to facilitate a declaration. I understand that there are question marks over specific aspects of European Airbus sales to north America. Where does GATT stand in that respect?

President Clinton, without any shadow of doubt, stands up and battles for and encourages the Boeing work force. He regularly visits Seattle where the jumbo jet is made and the new 777 is being constructed, and tells the Boeing work force that he is on their side and will not let them down. I would like the same bold statements to be made by Ministers to the British Airbus work force and to the Airbus company in Europe.

Mr. Jacques Arnold: As to the Boeing 777, large Airbus project and the new generation of supersonic passenger aircraft, would not it be far better for President Clinton to encourage more airlines to order such aircraft? Only British Airways has shown a definite interest in such projects, and it is worth bearing in mind the fact that British Airways was privatised—against which the hon. Gentleman voted.

Mr. Jones: [illegible] regret having given way to the hon. Gentleman. With his garbled intervention, he does not realise that British Airways refused to buy, in any worth while number, the Airbus. Workers in my constituency tell me that they wish British Airways to put in the same orders and show the same commitment as Air France and Lufthansa. I ask the Minister to consider how he might persuade British Airways to fly the flag, as it were, and purchase the Airbus, which many of the world's airlines are prepared to do, and they testify to its success.

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. Jones: I will not give way further to the hon. Gentleman.

I believe that the British Government and, indeed, the Governments of Europe, must be very firm with the United States and the future sales of Airbus. Many thousands of jobs in Britain depend on such backing.

In the context of the debate on GATT, and bearing in mind the difficulties that we have under GATT in terms of Airbus and the United States market, I refer to the future large aircraft project. I am told that some 7,000 British Aerospace jobs will depend directly on Her Majesty's Government, principally the Ministry of Defence, ordering the FLA. I have raised the matter with the Department of Trade and Industry and the Ministry of Defence. I have always found Ministers at the Department of Trade and Industry courteous and responsive to my queries about the FLA. I believe that they have informed advice from their section within the civil service and within the Department. Whenever I have visited the Department, I, and the work force leaders whom I take to see civil servants and Ministers, have been well received, not least by the right hon. Member for Hove (Mr. Sainsbury), the Minister for Industry, who opened the debate.

I emphasise that the FLA project is of massive importance to British manufacturing industry. It will have massive implications for trade, exports, skills and training, and I very much hope that the Government will look to the interests of Britain and not of a company based overseas. I must tell the Parliamentary Under-Secretary that I have received some 107 letters from my constituents at the BAe Airbus factory at Broughton. Every one expresses deep concern at what would happen to our great aerospace industry if there were no substantial orders for the FLA by the Ministry of Defence. My constituents tell me that they want a level playing field. It is a coincidence that, as I make my speech on behalf of the FLA and my constituents, the current issue of *The House Magazine* contains a two-page briefing about the FLA. In case the Parliamentary Under-Secretary has not seen it, it says:

> "Today, the Government is faced with a decision that could affect all our tomorrows."

It continues:

> "The UK has the chance to be part of building Europe's own purpose-built transport aircraft, the FLA (short for Future Large Aircraft).
>
> Designed to replace America's venerable Hercules, only FLA can carry the key equipment today's military so desperately need . . . Unfortunately, there is a very real danger that the wrong choice may again be made. It's time to quit stalling. We urge the Government to give FLA the green light and so ensure future generations actually have a future. After all, a decision that carries this much weight shouldn't be taken lightly."

I draw that to the attention of Ministers and hope that they will respond later.

I have received many letters on the matter from the 2,000-plus workers at BAe Airbus at Broughton. I now quote from a letter from one of my constituents from Connah's Quay, Deeside, who says:

> "it now seems certain that the Government's short sightedness will allow the opportunity of being a founder member of the F.L.A. project to pass us by, once again putting the whole of the U.K. Aerospace Industry in doubt with regards its future."

That may or may not be the case, but my correspondent continues:

> "If our major partners in the Airbus project are allowed to dominate the F.L.A. project without input from the U.K., then there must surely come a time when they"—

in Europe—

> "will feel that the Airbus project can also be continued without U.K. involvement."
>
> "What then? Thousands more jobless with the resultant loss of revenue from Tax and N.I. contributions."

That may or may not be the case, but it shows that, in the context of a serious debate on GATT, and bearing in mind the difficulties over Airbus, Ministers have a real case to answer about the project. I hope that the Department of Trade and Industry will leave the Ministry of Defence in no doubt as to what should happen in the placing of orders for the FLA programme.

I must tell the Minister that, on the Order Paper of 18 May 1994, there is an early-day motion entitled, "European Future Large Aircraft Programme." It says:

> "That this House notes that a commitment from Her Majesty's Government to the European Future Large Aircraft programme would secure and create employment throughout the United Kingdom and would provide high technology work for British Aerospace, Rolls-Royce and Shorts as well as significant prospects for over 60 equipment supply companies".

I rest my case as of now.

In conclusion, I emphasise that trade is Britain's lifeblood. It is as simple and as important as that. But I think that Britain has lost too much of its industrial base in the past 15 years. It appears to me that Her Majesty's Government have no strategy for the next century for our remaining industries. I believe that, compared with France, Japan, the United States or Germany, we in Britain give the impression of being amateur in our defence and promotion of our industries and trade. Either we export, or, as a nation, we die. As a trading nation, we must export. We must, therefore, invest in and encourage our industries. I know that, now, the British market is heavily penetrated by our industrial rivals. I have already mentioned some of them. I pose the question to Ministers, just how good is the GATT for Britain's future? Will it reverse the obvious decline in our industrial capacity in the immediate years ahead? Those are the vital questions. The sad fact is that the Government's White Paper on competitiveness, which was brought to the House last month, appeared, to many of us on the Opposition Benches, to be lacking, to be toothless. It seemed to lack true financial commitment to British industry. It appeared to many of us that the Prime Minister and his Treasury allies had decided to outmanoeuvre the President of the Board of Trade and prevent him from coming to the House with his White Paper for a truly powerful strategy for our manufacturing industries to the end of the century and beyond.

I think that hon. Members are entitled to express at least some scepticism—if not cynicism—about the claims that have been made for GATT today, notwithstanding the elegant speech made by the Minister for Industry. I want the Minister to be successful; Britain needs him to be successful; but he is serving a Cabinet that fails to devise a strategy and leaves the fate of our great manufacturing industries to the vagaries of market forces. On that basis, I find Government policy wholly lacking.

7.19 pm

Mr. Jacques Arnold (Gravesham): The hon. Member for Alyn and Deeside (Mr. Jones) seems to have a vested interest in droning the last rites for British manufacturing industry. Let me remind him that the United Kingdom exports more manufactured goods per head than either the United States or Japan—although no one would believe that from what he said.

I welcome the Marrakesh Final Act agreement on GATT. It has been a long time coming. The Uruguay round was launched eight years ago in 1986, after the Punta del Este ministerial conference; it has taken from then until now to achieve the final agreement. Nevertheless, it is a great achievement in view of the large number of countries that had to be brought into line, each with its considerable vested interests.

We should bear in mind that free and fair trade is especially important to the United Kingdom, which is the world's fifth largest exporter, exporting a quarter of all that we produce. It is estimated that, over time, an extra 400,000 jobs could be generated in the UK as a result of the successful conclusion of the round. That is particularly valuable in constituencies such as mine, which certainly need more jobs.

The Uruguay round will help British industry by bringing down barriers to exports of manufactured goods and services. It will give manufacturers greater protection against piracy of their copyrights, patents and designs, and strengthen the world trading system against unfair practices by individual countries. It is worth remembering that the UK is the world's fifth largest exporter of goods and commercial services and that our markets are already among the most open. This country therefore stands to be one of the biggest gainers from cuts in worldwide tariffs, quotas and other restrictions.

The achievement, ratification and putting into effect of the GATT agreement have been essential not only to Britain but to the developing world. It is all very well to ask the countries of the developing world to scrap their "import substitution" policies and open their markets; for that they need foreign currency, which they cannot earn unless they can sell into our markets. If we have trade barriers and tariffs set against them, they do not have a chance, but if they can earn foreign exchange by exporting they will earn not only money but self-respect. That is much better than the begging-bowl mentality so beloved of Opposition Members and that is why the measures on agriculture are so important.

Agriculture is being brought within the rules of multilateral trade for the first time through the GATT agreement. Over a period, that will create the conditions for a fairer and more market-orientated agricultural trading system. The agreement provides a strong basis for further liberalisation in the future. I welcome the conversion of all restrictions on imports of agricultural products to tariffs, which will make the whole matter very much more transparent and easier to deal with. Let us hope that the significance of the Poitiers customs house is a thing of the past.

We should also welcome the other provisions, such as the 36 per cent. reduction in tariffs over six years with a minimum cut of 15 per cent. in every tariff; the guarantee that at least 3 per cent. of domestic markets for agricultural products will be open to imports, rising to 5 per cent. by 1999; and controls on subsidies, with domestic support reduced by 20 per cent. from the 1986 to the 1988 level, expenditure on export subsidies reduced by 36 per cent. and the volume of subsidised exports cut by 21 per cent. from their average levels between 1986 and 1990. The agreement will provide a basis for freer trade, and in time will extend choice and lower prices for consumers while reducing the burden of agricultural subsidies paid by taxpayers around the world—not least in this country.

The biggest danger to international world trade has been —and, to a considerable extent, remains—the growth of trading blocs, which are themselves subject to pressures for introversion and the creation of a fortress mentality hiding behind tariff and other barriers. That has been a real danger in the European Community, especially under the

[Mr. Jacques Arnold]

inspiration of the French; it has also been a problem in the United States, which is now extending its bloc through the North American Free Trade Agreement, to which a number of Latin American countries wish to adhere. I would much rather see a free trading world with co-operating trade areas —a reformed European Community, a NAFTA and a Mercosur in Latin America.

I want to focus on Latin America, a region that has been transformed politically and economically over the past few years. Every Latin American country except Cuba is a democracy, and all those countries have enthusiastically embraced free trade. They have cut tariffs unilaterally. The House should concentrate on facts such as these. In 1985, when the process of liberalisation began, the average tariff level in Latin America was 56 per cent.; in 1992—the most recent date for which figures are available—it was 16 per cent. That change was carried out unilaterally, and showed Latin America's dedication to free trade. The response of the rest of the world is long overdue.

The Latin Americans were dismayed by French policy in the European Community, not least because exports from France, with its vast metropolitan agricultural areas and its Caribbean overseas departments, compete directly with many of Latin America's agricultural exports. France's approach has been supported by Spain with its Canary Islands dependencies and Portugal with Madeira.

The Latin American countries have increasingly come to realise that the interests of Britain and the new Latin America have much in common. We are, after all, the fifth largest exporting nation and we export more per head than the United States or Japan. The Latin American countries depend on free trade for the success of their new economic policies. As I have said, we have much in common and I believe that Britain is very much the champion within the European Community of the Latin American countries.

The House should give credit to those who have worked so hard for the successful conclusion of the GATT round. My right hon. Friend the Minister for Industry mentioned the successive endeavours of Arthur Dunkel and Peter Sutherland, who have worked hard; I would add the name of our right hon. Friend the Prime Minister, who has fought consistently to keep the negotiations going. Following the negotiations over the Maastricht treaty, he has again shown himself to be a master of negotiation, pushing the British interest. Let me also add the name of the right hon. Sir Leon Brittan, who did so much to secure agreement between the European Community and the United States.

The United Kingdom played an important role in securing agreement in the Uruguay round. It was summed up best by the Japanese ambassador in London, who said last year:

> "Great Britain is a trail blazer for free trade in Europe."

Lastly, I would agree with my hon. Friend the Member for Esher (Mr. Taylor) that we should not take it for granted that GATT will be ratified by the European Community and the United States. We do not know what view the new European Parliament elected last week will take. We have lost many free trade United Kingdom members like my own erstwhile Member of the European Parliament, Ben Patterson. I hope that his successors and those of others will make sure that the hard pressure for free trade, in the European Community and in the world generally, will be kept up.

I hope that today's debate will signify the assent of the House to the ratification by Britain of GATT. The GATT deal also has to be ratified by the United States Congress. The loss of tariff revenue to the United States Government may produce odd pressures on Capitol hill. We must wish President Clinton godspeed in his current negotiations. The transformation in the world with the collapse of the socialist bloc and the development in countries in Latin America and Africa of free trade and free market economies gives us very much to hope for.

The recent GATT deal will provide a wide base for the development of that freedom, both politically and in the economy. It is incumbent on the House to campaign steadily in the debate and onwards for free trade throughout the world and to press on to achieve the ratification of GATT and the successful establishment of the World Trade Organisation so that there can be free trade and prosperity throughout the world.

7.30 pm

Mr. Alan Simpson (Nottingham, South): I thank you for calling me, Mr. Deputy Speaker, and apologise for the fact that I have almost lost my voice. I am particularly grateful to have this opportunity to speak because I suspect that I may be one of the few hon. Members who will rise to speak against the GATT treaty. I wish to do so by setting out a different view of the world in which we live.

I start from the perspective set out by John Maynard Keynes in the 1930s, when he looked at the world and said that the things that ought to be encouraged to move freely around the globe were ideas, hospitality, knowledge, travel and learning. In relation to trade, he considered that there were overwhelming arguments for a world perspective based on planned trade, where a premium was placed on producing locally and regionally in sustainable and acceptable forms. Yet, in contrast to that, we are now presented with a GATT treaty which sets out a different world view based on a different set of values. I shall sketch some of those differences.

GATT is based on some fairly important assumptions which are closer to ideology than to evidence. The assumptions are, first, that if we free trade, there will be a general increase in global prosperity and, secondly, that we will all somehow benefit from that growth in prosperity.

When I went back to the Organisation for Economic Co-operation and Development study in which the original figures in relation to the growth in prosperity were produced, I was struck by two things—the modesty of the figures and the vagueness of their sources. The study suggested that, over a 10-year period, there would be a growth in world output of approximately $19.5 billion per year. In the context of global gross domestic product that is not an awe-inspiring sum, but when I tried to look into the matter further, I realised that the evidence on which the claims were based was extremely sketchy.

Perhaps the most forthright of the people who owned up to that was Professor Jagdish Bhagwati, economic adviser to the Director General of GATT, who said in relation to those estimates or guesstimates of the growth in world trade:

> "Nobody really knows. I mean that's basically ballooning up estimates . . . I think the $200 million figure you keep hearing all the time, that relates to the extent of incremental trade, which, according to some models, we expect to get. But I have been in this game long enough to know that, you know, if—it's almost astrological to try and forecast specific numbers.".

If that is what the economic adviser to the Director General of GATT had to say, it seems to me that the evidence about which we are getting so excited is terribly thin.

The hon. Member for Gravesham (Mr. Arnold) pointed out that there would be 400,000 job gains for the United Kingdom. I would simply caution him to look at the claims made by President Bush in the early stages of the GATT negotiations—to the effect that the American economy would gain by $125 billion in the first year of the treaty alone.

Mr. Jacques Arnold: I would settle for 100,000 jobs, because they would be incremental to the growth that we are already seeking in the British economy.

Mr. Simpson: I suspect that the hon. Gentleman would have to settle for far fewer than that. As I was pointing out, last year the Economic Strategy Institute in the United States did a different calculation and suggested that the American economy could lose between $36 billion and $63 billion a year as a result of the signing of the GATT treaty. I would caution hon. Members to look carefully at the basis of any serious calculations that have gone into the underpinning of the consequences of the GATT treaty.

GATT has been sold to us on the basis of a misleading and weak study and of inadequate economic analysis. There are serious collisions built into the principles around which world trade is to be constructed. GATT models itself on three pillars of a free trade model; it is based on the principles of non-discrimination, reciprocity and transparency of trade.

By contrast, I think that the House ought to be starting from the following set of questions. Does the agreement create jobs in Britain? Will it improve equity both at home and internationally? Will it create stability in our domestic and in the global environment and will it protect that global environment? Is it, in effect, an agenda for sustainable economics? In answer to those questions, my sad conclusion is that there is very little basis for saying that there would be job growth in the United Kingdom as a result of the signing of the GATT treaty.

I am clear, however, that there are other quite specific consequences of the signing of the treaty. It would clearly fit in with the Government's interest in what they glibly refer to as jobless growth. It can almost certainly be guaranteed to deliver a huge increase in the profits that are accruing to transnational companies.

GATT is a treaty for the powerful and the anti-democratic. An examination of the nature of world trade today clearly reveals where the huge interests that have supported the signing of the GATT treaty are. Last year, Oxfam carried out a study which concluded:

> "In reality, trade flows are dominated by powerful corporations located overwhelmingly in Western Europe, North America and Japan. In 1985, the combined sales of the world's largest transnational companies exceeded $3 trillion, equivalent to one third of the world's Gross Domestic Product".

However, it is not only a third of the world's GDP that the transnationals control. The studies by Oxfam and other organisations have shown that the major transnational companies control 70 per cent. of world trade. Almost all the primary commodities that are marketed are controlled by only six multi-commodity traders. In the agri-chemical industry, the 20 largest transnational companies control 94 per cent. of the market. In the telecommunications industry, the nine largest transnational companies control 89 per cent. The freedoms that the transnational companies will receive under the treaty will be enormous. The treaty will extend and entrench their power to control prices, pursue the lowest wages, seek the fewest responsibilities and disregard the environmental damage that often goes with the power that they have accrued.

Where in Britain will the job impact be felt? I cite an example from my constituency. I am privileged to have the Raleigh cycle company based in Nottingham. It is a very efficient company which I have visited many times with the management and the trade unions. The company has pointed out that it cannot compete with the Chinese bicycles being dumped in the United Kingdom. Its representatives have been invited to go to trade fairs in south-east Asia, and the Chinese say blatantly that it does not matter at what price Raleigh seeks to sell its product in China because they are concerned only about who controls the markets. Even where nations are not saying that, the same message is being sent to countries and continents by transnational corporations.

We are already witnessing a serious transfer of production as a result of the liberalisation of world trade. In America, there is ample evidence of a transfer of manufacturing industries from the industrial belt of mid-America to the free trade zones of Mexico. People are amazed that the goods produced in Mexico, which an attempt is being made to sell in the industrial belt of America, are not being bought by workers who lack the wages to pay for goods that they are no longer employed to produce. To highlight that point, I refer to a report issued last year by Professor Thurow of the Massachussetts Institute of Technology. He explained his attraction to free market but went on to say:

> "Free markets . . . tend to produce levels of inequality that are politically incompatible with democratic government. Witness the rising inequality and homelessness in the United States, and note the need for large social welfare income-transfer payments systems in every major industrial country."

They are the consequences of the liberalisation of trade. They certainly go hand in hand with the accrual of increased profits to the multinational companies, but they do not generate jobs in one's domestic economy or create conditions of stability or equity in an international sense.

In the developing world, there are also enormous pressures that dislocate domestic economies. For example, there is pressure to opt for primary production. Over the past 20 years, the net effect has been that developing countries have increased their production of primary products. World commodity prices have since collapsed and the income from the sale of the goods has failed to cover the cost of the debts that they have acquired through borrowing to increase this production. Instead of becoming richer and freer, those developing nations have merely increased the debt burden around their necks, and a phenomenally high rate of profit has been delivered to transnational companies.

For the industrial world, there is a serious drain not only of manufacturing capacity, as my hon. Friend the Member for Alyn and Deeside (Mr. Jones) said, but of a new era of emerging technologies, jobs and services which—a fact that we have not yet understood—are going to the third world as part of the liberalised free trade regime.

It is now the custom of some accountancy firms in this country and in the United States to take on firms' accounts and ship them to Barbados to be processed by faceless women for less than $1 an hour. Does anyone know an accountant in this country who will work for less than $1

[Mr. Simpson]

an hour? If so, many hon. Members and others would bite his hand to find out the name of that accountant. No matter how efficient we become, we cannot compete at that rate of pay.

The same is happening in the data-processing industry. In the Philippines, qualified data processors are working for United Kingdom and American companies for £100 a month, with medical care and a ration of rice thrown in. Nor can we compete with the computer programming being done in the third world, either directly or indirectly, for United Kingdom companies such as National Westminster Bank, British Telecom, Procter and Gamble, and Abbey National plc. Such work is being done in Calcutta, Madras and New Delhi by highly qualified computer programmers for £1 an hour. Could any hon. Member find me a computer programmer in Britain, or anywhere else in the industrialised world, who could live on £1 an hour? That movement of services will continue and will always mean greater profits for transnational companies. The trend is not to spread equity but to concentrate profitability.

At this point, I wish also to mention democracy and stability. Paragraph 4 of article XVI of the "Understanding on Rules and Procedures" states:

> "Each Member shall ensure the conformity of its laws, regulations and administrative procedures with its obligations as provided in the annexed Agreements."

In other words, nations' constitutions will have to be rewritten to conform to the GATT treaty. Whatever a nation's electoral mandate, if its laws and constitutions are at odds with the treaty, they will have to be changed.

I refer the House to a riot that took place in the Karnataka area of India, which was in opposition to the threats to the Indian Patents Act 1970. Under Indian law, it is illegal to patent any life form, but the new agreements relating to the trade in biotechnology patents enshrine the rights acquired by large multinational pharmaceutical companies to patent genetic products, allowing the inherited genetic diversity of the planet to be turned into a form of private property.

A number of other national and international practices will become similarly "GATT illegal". In Canada, the export of unprocessed salmon and herring has been ruled illegal. It was seen as an unreasonable restriction on trade. Equally likely to be defined as GATT illegal is any attempt by a nation to control the export of its own natural resources. In relation to the Muntingh proposal, the European Parliament set out terms in which it was attempting to control the import of unsustainably logged timber. Its proposals are to introduce by 1995 positive incentives which will reward the production of sustainably logged timber and by 2000 disincentives to obstruct the importation of unsustainably logged timber. All those processes will be GATT illegal.

The Montreal protocol, which is designed to reduce chlorofluorocarbons emissions, has set out ways in which we are incrementally moving towards the banning of trade in products and by-products which generate CFCs, so that there is now a ban on the import of controlled substances from non-signatory countries to the Montreal protocol and a ban on the export of controlled substances to non-signatory countries. Both those bans will be GATT illegal.

Any challenge will be ruled on by the GATT disputes panel—the disputes settlement board. Is that to be a source of protection for national economies, conservation economics and international environment initiatives? The answer is sadly no. To see why, we need only consider what has happened in the dispute that took place over tuna-dolphin catching—first between the United States and Mexico, Venezuela and Vanunu and, subsequently, between the United States and Europe and those three countries. The United States attempted to ban what was referred to as the encirclement method of catching tuna, a reckless method which needlessly, cruelly and irresponsibly took the lives of huge numbers of dolphins. There was an attempt to say that it was not acceptable for tuna to be caught in that way. The matter went to the disputes panel and, in 1991, the panel ruled that such a ban constituted an unreasonable restriction on trade. It is likely that such methods will be supported when the matter goes before the new panel. GATT is likely to blow an almighty hole in any global attempts to set down a serious commitment to challenge environmental exploitation and environmental degradation.

By failing to build an environmental dimension into this round of GATT, we run the risk of destroying most of the major initiatives that have been taken up in the process of dragging the world into facing up to the environmental damage that we have been causing. The World Trade Organisation will have powers to compel countries to adhere to free trade rules whether they destroy the environment or not, whether they exploit child labour or not. A body has been created which, in effect, comprises the new ayatollahs of free trade fundamentalism. It will have the power to dictate national policies and to deny people the choice of putting a planned future before a free-for-all present. GATT prevents countries from taking trade measures to protect the environment and natural resources beyond their national boundaries. GATT disallows import restrictions based on production processes, including the use of such things as milk-enhancing hormones, which can have a devastatingly destructive effect not only on the cattle to which they are fed but on the human beings who consequently consume them indirectly. GATT will accelerate the collision between free trade and a global environment.

In fact, what we need is a treaty for sustainable growth and sustainable development. Four principles should underpin that treaty. We need policies under which the developing world can feed itself, house itself and build up its own infrastructures. We need a new form of environmental protectionism, which would pay for the development and gifting of environmental technologies. We need a treaty that would raise the standards of production to those of the best, rather than reduce them to the price of those who would exploit the most. We need a treaty which recognises that the next century will place a premium on reducing global transportation, which accounts for one eighth of the ozone-depleting gases currently being emitted. The treaty needs to eradicate toxic dumping, the majority of which now takes place as a transit process from the industrial north to the developing south and east. We need a treaty which delivers stable jobs and sensible wages. Sadly, none of those needs is met in the GATT treaty.

7.54 pm

Mr. Jeremy Corbyn (Islington, North): It is a pleasure to follow my hon. Friend the Member for Nottingham, South (Mr. Simpson), who made an excellent speech. I especially agreed with the latter part of it and the conclusions that he drew. There seems to be an understanding that GATT is something that we should all welcome and that anyone who opposes it is somehow a heretic or an anti-Christ and therefore should not be allowed to enter the debate.

May I point out that it is yet another treaty that has been signed by the British Government of which there has been no parliamentary scrutiny whatever? No vote was taken on that treaty, there are no means of amending it and a huge proportion of power has been handed over to the World Trade Organisation in the name of promoting the idea of a free market economy all round the world, with all the devastation that that will cause, for jobs in this country and for living standards in the poorest parts of the world. The weakness of the British parliamentary system is that there are no means whatever of stopping that being done. The treaty was signed, as every treaty is signed, within the powers of the royal prerogative and we are left with it. We call ourselves the mother of Parliaments and a model of democracy to everybody else around the world. We should stop lecturing the rest of the world and start trying to learn some lessons from them.

I do not join in any general welcome of the treaty. I have the deepest misgivings about the treaty and, indeed, about the GATT process. It has been presented—the Prime Minister did so in this Chamber—as though, somehow, everyone is a winner in GATT. It is rather like a game of bingo in which everybody comes out a winner. The only problem is that, in most gambling that I have ever understood, the bookmaker makes the money, not those putting money on the competition. If everyone is a winner, how come some are bigger winners than others? It appears from what the Prime Minister said that the biggest winners will be western Europe and the United States of America. Proportionately, the people who will come out worst are those living in the poorest countries of the world.

The hand of the United States looms large in the GATT treaty and in the GATT negotiations. President Clinton said:

> "We are on the verge of a historic victory in our efforts to open foreign markets to American products."

With typical United States arrogance, they assume that the American continent belongs to them. I do not know why they cannot say "United States products" and why the term "American products" is always used which, to my mind, includes those of Canada, Mexico, the whole of Latin America and the Caribbean.

However, around the world, considerable opposition to the GATT treaty is being mounted. My hon. Friend the Member for Nottingham, South mentioned the problems of a number of people in India. There have been huge demonstrations in many parts of India by Indian farmers who are opposed to the treaty because they can see the consequences for themselves—the consequences of poor countries having to import foods that they already grow, the consequences of their not being able to get their industrial products into western markets to the degree that they would want and the problems that they will have of high levels of import penetration from multinational corporations. Those demonstrations were enormous, but were barely reported in this country.

The demonstration in southern Mexico, known as the Zapatista rising, was a direct consequence not only of GATT, but of the structure adjustment programme forced on Mexico by the World bank and the International Monetary Fund as their means of coping—that is the only way in which to describe it—with the problem of the Mexican debt. Those poor people understood what was on the agenda and what the consequences would be.

The hon. Member for Sutton and Cheam (Lady Olga Maitland) and other hon. Members mentioned what is currently happening in China. China has the fastest growing economy in the world. However, many people in China work in the worst possible conditions in the world and on the lowest possible wages. A plethora of industrial strikes are taking place in the economic zones and all over southern China at the present time. They are barely reported in the west.

The muted criticism of China's human rights record by the British and United States Governments and everyone else is axiomatic in that they are saying that trade comes first and their concern for human rights comes second. The Conservative Government could tell us plenty about that as they sold arms to South Africa during the worst years of apartheid oppression and they happily sold arms to Chile during General Pinochet's time. There are dozens more examples of such actions.

If we are serious about human rights abuses, we are serious about human rights abuses full stop, irrespective of the country concerned, or the economic or political system within which they operate. The failure to criticise China shows that we are interested more in the possibility of British companies making money out of investments in China than in doing something serious about the problem.

The treaty includes a major section on trade barriers and the lowering of import rates. Here we are seeing growing interference in the ability of the poorest countries in the poorest parts of the world to produce the goods they need for a system of self-sustaining agriculture.

After the long years to gain independence from this country, Zimbabwe embarked on a process of self-sufficiency in agriculture. The powers that be in Washington visited Zimbabwe and demanded to know why it had so much maize in stock. With great prudence, the Zimbabwean Government said that they wanted maize in stock as a hedge against the likelihood of drought, which occurs frequently in many parts of southern Africa. The Zimbabweans were told to get rid of that maize. When drought came along, Zimbabwe had to buy maize on the open market, some of which came from the United States. It is a policy of utter folly and madness to destroy the indigenous agricultural systems of so many poor countries.

Given the pressure of structural adjustment programmes on poor countries, instead of giving them support and assistance to develop self-sufficiency in agriculture, one expert after another steps off a plane from London, Washington or Frankfurt and says that the solution is to grow coffee. So many countries began to grow coffee that the world price of coffee fell. Many countries now face economic disaster and many people in the west are suffering from hypertension because of all the cheap coffee that they are drinking. That policy is not sensible.

The latest suggestion is to grow cut flowers. The number of countries that are now investing in growing cut

[Mr. Jeremy Corbyn]

flowers is unbelievable. I did not know that there was such a market for cut flowers. The number of planes flying around the world, depleting the ozone layer, using up oil and causing noise and other problems, in order to bring cut flowers from Colombia, Zambia, Zimbabwe, Ethiopia, India and God knows where is extraordinary.

Mr. Derek Enright (Hemsworth): And from Kenya.

Mr. Corbyn: And of course from Kenya. I would not wish to leave Kenya out. Those planes are carrying cut flowers to the markets in Paris, London, Washington, New York and Tokyo. That policy is simply not sensible and there are plenty of similar examples.

I recall some years ago visiting a very poor area of Honduras in central America. Most of the people lived in what can only be described as shacks. They lived outside the cash economy and practised subsistence living. They grew a bit of maize, kept a few chickens and more or less got by somehow. If they had a good crop, they sold some of it to buy cooking utensils and the like. If they had a bad crop, they starved.

Beside those shacks where those very poor people lived there were huge fences and security guards protecting the fattest beef cattle in the world. Those cattle were being fattened up to be beef exports to pay for that country's debt and to bring in foreign exchange. What came first: the starvation of those children or the export of the beef? The export of the beef came first, never mind the starving children.

Country after country is being asked to produce export products to meet a debt which is not of their own making. Those export products are not benefiting the people who are suffering worst in the poorest countries of the world. I fear that the GATT process does nothing to improve the lot of the poorest people. In fact, it is likely to make it worse.

The real beneficiaries of the GATT process are the very small number—possibly no more than 500—multinational corporations which, between them, control 30 per cent. of global products and 70 per cent. of global trade. A very small number of people in a very small number of faceless offices around the world are the real winners in the GATT treaty. They are not accountable to national Parliaments or national Governments. They are not accountable to shareholders. They operate in their own way and wield enormous influence over the GATT negotiations and over the United Nations.

Far from controlling the activities of those companies, far from being an organisation which will control the power of multinational corporations—indeed, the UN has closed its multinational corporations office—the World Trade Organisation will be telling poor countries, "How dare you impose import tariffs on these goods? How dare you try to develop a protectionist economy which can provide self-sufficiency for your own people?" Those countries will be punished by the WTO. The hon. Member for Sutton and Cheam apparently wanted to know what that punishment will be. The power to punish was handed over to the WTO without so much as a vote in the British Parliament.

I want now to consider the cuts in domestic subsidies arising from the GATT deal. As a result of those cuts, a third-world country—as we choose to call them—cannot subsidise its own agriculture. Instead, it must open its doors to imports from the west. However, it is apparently perfectly okay for north American and British farmers to receive enormous subsidies for farming, often in an environmentally unsustainable way. We seem to be preventing subsidies from being meted out to help poor farmers in poor countries while we are allowing subsidies to go to very rich producers in the northern countries. Something seems to be fundamentally wrong there.

The *International Herald Tribune* summed up GATT in all its glory. It stated:

> "Analysts said the multinational companies, which account for about two-thirds of the world's cross-frontier trade, would be the obvious winners from the deal . . . As part of the accord, foreign companies are to be granted the same national treatment as domestic concerns, making it easier for multinationals to relocate jobs in low-wage countries".

My hon. Friend the Member for Nottingham, South mentioned several examples of multinational corporations increasingly relocating jobs in the cheapest labour areas. Daimler-Benz moved jobs from Germany to Alabama in the United States. The Ford Motor Company regularly plays ducks and drakes with its workers around the world. All the big pharmaceutical and electronics companies do exactly the same. Japanese electronics companies used to have their goods made up in Japan. They now have them made up in Taiwan or South Korea. They are now moving into Bangladesh and India and wherever they can obtain the cheapest wage rates.

It is a policy of utter folly and great danger to set competition on a pedestal all on its own without regard to social and environmental consequences or the real costs to the environment of the huge increase in transport to which my hon. Friend the Member for Nottingham, South referred.

I want now to consider not the very poorest countries, but what we choose to call middle-income countries which must allow for an increase in the importation of agricultural products into their economies. Indonesia, whose Government I admire not a jot, has been told that it must allow up to 1.5 million tonnes of rice to be imported to Indonesia every year. Indonesia does not have a problem producing rice for its internal consumption. However, it has been told that it must allow those imports irrespective of the fact that 34 per cent. of its export earnings already go towards trying to pay a debt incurred from previous inequalities.

The GATT deal will cause serious damage in the form of environmental problems and problems for sustainable agriculture around the world. GATT seeks to say that the only thing that matters in the world is the principle of competition. When Conservative Members talk grandly about the need to introduce a competitive economy in Britain, as their counterparts do in France, Germany and every country in the world, that is a recipe for lower wages and living standards and higher levels of unemployment and for cuts in health services and the welfare state—all in the name of the free market economy.

I believe that that is the wrong direction in which to go. My hon. Friend the Member for Nottingham, South set out a series of ideas which would be a step forward and he was absolutely right. First, why is there nothing in GATT about workers' protection and rights? Why is there nothing about the minimalist right to join a trade union and to organise together to negotiate for decent wages and working conditions? The treaty says absolutely nothing about that. It would apparently be a gross interference with trade.

Nothing is said about human rights—for example, the way in which the Government of Indonesia have bombed the people of East Timor. Nothing is said about human rights abuses in China, or about the occupation of Tibet, and nothing is said about many other abuses that happen in many parts of the world. All those matters could be and indeed must be addressed. That must be what the inspiration and formation of the United Nations was all about—to try to address those very basic problems.

We now come to environmental sustainability. We live in a world of galloping consumption, mounting waste and mounting damage to the planet. I receive a fortnightly paper which is sent to me from Penang in Malaysia called the *Utusan Konsumer*, published by the Consumers Association of Penang. It is a very interesting paper for all that, because it often says the unpalatable truths from a relatively poor country to the rich of the north. It points out, for example, that

> "Western industry produces vast amounts of toxic waste . . . which is dumped in the Third World.
>
> Since 1986, over 3 million tons of toxic waste have been shipped from Western Europe and North America to other countries.
>
> About 125,000 tons of toxic waste are sent to the Third World from Europe each year."

That is the way of getting around environmental restrictions in the west and dumping them on the third world.

On brutal farming techniques, the publication points out:

> "Every decade, 7 per cent. of the world's soil is lost through large-scale farming techniques",

such as those used in the United States, where

> "an area twice the size of California has been rendered unproductive."

Those are the very same farming methods as are being imposed on poor countries. The newspaper goes on to show the figures, which are well known, about the enormous waste of oil and other energy sources by the over-consumption of western economies.

Those crucial issues have to be faced up to. Rio gave us an opportunity and at least pointed in that direction. Much of the work of Rio, which is limited in itself, has been undone by the GATT treaty. We need to look forward to a future in a world in which we redress the problem of imbalances between the rich and poor and between the north and south, and stop worshipping the god of competition and the god of exploitation of other people and start looking to a sustainable future for the planet. GATT goes in exactly the wrong direction; it does not help us at all. I wish that we had an opportunity to vote on it, because I for one would emphatically vote against it.

8.11 pm

Mr. Derek Enright (Hemsworth): I apologise for being unable to be here since the beginning of the debate. I have been attending the Standing Committee on the Education Bill, undertaking Opposition Members' constant drudgery of attempting to make the Government see sense. I regret to have to inform you, Mr. Deputy Speaker, that we did not quite do that this afternoon, but hope springs eternal in the breast, and I constantly pray for the sins and the sinners of the Government.

I should like to make a very brief intervention on some specific points. The principle of GATT is, of course, entirely right and correct. We are trying to get fair and decent trade around the world. But it is equally right and correct that, as my hon. Friends have said, we should look at the social effects of much of what we are doing. In particular, one thinks of the way in which China, which has already been mentioned, is able to flood not only developing countries but this country with very cheap products without regard for normal decent human relationships.

Her Majesty's Government have prided themselves on saying, "We will assist the developing world only in so far as it puts democratic measures into their Governments and ensures proper reform." That should apply absolutely everywhere, not just to the small countries of Africa but to large countries. It is no use simply condemning China. We have to show that our condemnation of China, for example, means something.

Another point that I should like to be considered much more closely is world commodity agreements. It simply is not fair to ask very poor countries, which are producing goods for export at subsistence level, to put up with current fluctuations in world markets—something which can have nothing whatsoever to do with the efficiency of what is being done in a country but which can have much to do with current speculation on the world commodity markets. That can destroy a country, and that means destroying not only the country but individuals, families and small rural settlements. That has happened in Africa in particular.

The continent of Africa is the greatest suffering continent at the moment. Some of the problem is man made. The people who are resisting legitimate government in Angola and Mozambique, for example, are responsible for great misery. Angola and Mozambique will certainly have enormous commercial potential once they get over that problem. However, for much of Africa, the difficulty is not man made, it is natural. People have to eke out life at subsistence level by relying on exports and, in particular, on the favours that are given to them by the European Community.

The Lomé treaty—I hope that the Minister will say something about it—is particularly geared to doing favourite things to favourite people—in other words, to looking after the continent of Africa, the Caribbean and the Pacific. In so far as GATT takes away from that, and it most certainly does, GATT is performing a wickedness which Her Majesty's Government must consider.

I have spoken before about the problem of bananas. As the Minister knows, bananas are covered by the protocol in the Lomé treaty, but the deal that has been done under the GATT treaty has thrown away all the advantages that banana-producing countries in the Caribbean had. That is no joke to populations who depend for their livelihood on the production of bananas and on getting their bananas to their traditional markets.

We made a commitment under Lomé that we would give special preference for African, Caribbean and Pacific bananas and, as the European Union, we must honour that preference, in spite of what is being said by certain parts of the GATT machinery at the moment. Indeed, a GATT panel recently challenged—not in an official way, admittedly—the preferences that are given under the generalised system of preferences to developing countries by the European Union.

Her Majesty's Government must give an absolute commitment that they will stand up to that threat and make sure that those developing countries continue to receive favoured nation status. The Prime Minister regularly says that he has great influence on Chancellor Kohl. He must

[Mr. Derek Enright]

use all that influence on Chancellor Kohl in respect of bananas because Chancellor Kohl is taking the European Union to the court so that the Germans will be able to flood the country with even cheaper bananas which are produced by very cheap labour indeed. The virtue of the protocol in the Lomé agreement is that it ensures that a decent wage can be paid to people who grow bananas.

Mr. Corbyn: Is my hon. Friend aware that dollar bananas, which are the ones that the Germans are keen to flood the European market with, are produced by environmentally damaging methods in large plantations in central America and parts of South America, whereas the smaller Caribbean bananas that we are used to in this country are much more environmentally sustainable and are usually produced by small farmers? The economies of a large number of Caribbean islands will be totally devastated if the European Court decision goes in favour of what Chancellor Kohl wants.

Mr. Enright: I am grateful to my hon. Friend for underlining the point that I was making. I would add that it is odd that Germany should take such action on bananas and, at the same time, pursue a path of demanding special recognition and protection for its agricultural products. That is two faced in moral terms and must be resisted. I am not normally in the habit of doling out praise to the Government, but they have been reasonable in arguing with the German Government on the matter so far. Tonight, we should ensure that that tenacity of purpose continues.

Totally untrammelled trade agreements such as GATT can be an absolute disaster for poverty-stricken areas. It is, therefore, not simply a question of looking at the United Kingdom with regard to other rich countries but of looking at the United Kingdom with regard to other rich countries and poor countries. The whole picture must be examined but not in a one-sided way.

I shall conclude by talking about what I consider would have been a good example if it had been followed—the much-maligned multi-fibre arrangement. The idea of the multi-fibre agreements and arrangement was that there would be an orderly transfer of technology. That was perfectly all right. Certainly, the people who get poor wages in the clothing industry in my constituency would be happy for it to move somewhere else where goods could be produced effectively and cheaply and they could start to improve their standard of living.

At the same time, it was agreed that jobs in the clothing industry would be replaced by high technology. It is most unfortunate that the Government took over in 1979; not a penny was put into developing high technology as all the textile jobs in West Yorkshire disappeared. That is not what happened in West Germany because the Germans saw that an orderly transfer was needed. They wiped out their clothing industry, but replaced it with high technology. That is why West Germany, even now with all the problems of East Germany, is infinitely more successful than the United Kingdom in terms of wealth creation, manufacturing and full employment. The Government should take a leaf out of that book, look at what is happening in West Germany and frame their policy on GATT accordingly. It is no use praising free trade when all it does is enslave a large number of people.

8.22 pm

Mr. Elliot Morley (Glanford and Scunthorpe): The area that I represent is the centre for heavy industry in this country. It is one of the few such areas left, thanks to the Government's policies. Apart from having heavy industry and some high-tech industries, it is also an area of rich agricultural land. It is one of the United Kingdom's centres —and, indeed, one of Europe's centres—for intensive livestock.

Like the rest of this country, the area that I represent has a lot to gain from an orderly organisation of world trade and the encouragement of exports. Even though in principle we need the GATT agreement because of what it can offer, it has some severe disadvantages as it stands in terms of its impact on a whole range of issues, as has been outlined by my hon. Friends the Members for Hemsworth (Mr. Enright) and for Islington, North (Mr. Corbyn). Indeed, there are some issues that have not been satisfactorily resolved which the European Union should carefully consider before the agreement is endorsed. Like my hon. Friend the Member for Islington, North, I regret that the House has not had the opportunity to debate the detail of the GATT agreement or, indeed, to vote on it. Some of these issues could have been raised and discussed.

In terms of some of my concerns, I shall deal with agriculture and one aspect of it. I apologise for not being here at the beginning of the debate; I was at a meeting of the all-party animal welfare committee. That committee, together with animal welfare groups in the United Kingdom and, indeed, in Europe, is concerned about the implications of GATT in terms of stopping the constant improvement of standards that we have seen in agriculture, animal husbandry, food quality and veterinary products, and stopping new developments such as genetic engineering and novel foods. The agreement has implications in terms of the right of individual countries to control what they import and how it is used.

I am amazed that Tory Members start huffing and puffing and getting all excited about the European Union and the alleged loss of sovereignty and powers; yet, by praising the GATT agreement, they are taking away even more powers from the United Kingdom than the European Union because at least the European Union has some measure of accountability through directly elected Members of the European Parliament—whom we have just elected.

I shall give some examples of my concerns. In food agriculture and food production generally, agriculture faces some major changes as a result of the GATT. There must be some changes, because we cannot sustain the common agricultural policy with its subsidies and its impact on developing the third world in terms of dumping surpluses at subsidised prices and distorting the markets.

One issue is the use of artificial hormones in boosting food production. At present, the hormone known as BST —bovine somatotropin—is banned in the United Kingdom; the European Union has decided to extend that ban for a further year. There is some doubt about whether such bans can be applied under the GATT. Indeed, GATT will be used as an excuse by companies and individuals to try to get products on to the market. What sense is there in taking away restrictions on the use of artificial hormones such as BST, which increase milk production, in this country when we have a huge surplus of milk in the European Union? That surplus must be controlled by the use of quotas, which have disadvantages. BST has implications for animal welfare and is not welcomed by consumer groups or, indeed, farmers in this country who know that artificial productions distort the market.

Another issue is the use of hormones in, for example, beef. At present, the use of hormones in beef is legal in the United States, but is banned—rightly—in the European Union. The Americans could claim that keeping out their beef exports which have been subject to the use of hormones is illegal under the GATT arrangements and that, therefore, undermines the United Kingdom in taking the correct stand.

Another issue is animal welfare standards. The Labour party takes these issues seriously. Indeed, we have seen an improvement in animal welfare standards and production and rearing methods over the years. We want those improvements to continue and we campaign for that through the European Union. Things such as veal crates are banned in this country, but they are still legal in the European Union.

Various methods of rearing livestock and intensive systems are still legal; the use of battery cages is the best example of that. It will be difficult to bring about changes in intensive systems such as battery cages. If we impose restrictions on our farmers, they can be undermined by the importation of food products—in this case, eggs—from other countries which are not subject to the same restrictions and which can claim to be exempt under GATT. That makes it difficult to bring about improvements in animal welfare standards.

Mr. Corbyn: Is my hon. Friend aware that in most countries—certainly in South America—there is no restriction whatever on the way in which intensive farming can be conducted, on the sizes of cages for battery farmed chickens or on any other sort of intensive animal rearing? Clearly, the evils of the way in which animals are treated would tend to become the norm rather than the exception that they are at present.

Mr. Morley: I am aware of that, and my hon. Friend makes a good point. I want standards to be raised in this country and in the European Union in terms of world trade. The danger of GATT is that it will lower standards to the lowest common denominator driven by market pressures. I do not believe that that issue has been properly addressed within GATT.

While there is a place for the free market and for trade, we cannot have unfettered trade which does not take into account the exploitation of the weak by the strong, proper environmental standards, and the exploitation of the world's resources—whether animals or people. Those issues are not dealt with.

I have mentioned genetics, which is a huge growth area in terms of genetically modified animals and foods. This country has procedures in place to look at the ethics and standards of that. Will they be undermined through GATT? Those areas of science and technology are moving so fast that proper and effective regulation must be put into place.

Another issue is that of countries that produce food in damaging and unsustainable ways. The question of the yellow fin tuna was touched on by my hon. Friend the Member for Nottingham, South (Mr. Simpson). The method of fishing to which he referred not only destroyed large numbers of marine mammals but did so in a cynical way. The fishermen were looking for schools of dolphins to indicate where the tuna were. They then shot their nets around the dolphins, destroying them along with the tuna.

Methods of drift netting in the Pacific have caused havoc to endangered turtles, various fish species and marine mammals. Quite rightly, the Americans put a boycott on yellow fin tuna. Those issues are of international importance, and each country ought to have the right to take action by boycotting products if they are being produced in damaging ways.

Another method—which, I am glad to say, is currently banned in some areas—is re-fishing where dynamite has been used, thereby destroying fragile ecosystems on Pacific reefs. Those issues need to be brought under control and action must be taken on that.

Recently, there was a meeting of the International Whaling Convention, and there is still tension, as hon. Members will know, about certain countries that insist on killing whales, sometimes in defiance of IWC international regulations. There must be action taken—if appropriate —against those countries, and I hope that GATT will not restrict that.

There is also the issue of tropical hardwoods which, in certain parts of the world, are being felled in totally unsustainable ways, causing enormous ecological damage. We ought to have systems within the European Union of identifying companies whose tropical hardwoods come from sustainable areas and involve local ethnic people, so that those companies can be encouraged and rewarded. Countries and companies that defy international law and destroy tropical forests should be boycotted and controlled. GATT undermines that particular situation.

I hope that the Minister will consider four points. First, GATT ought to allow individual countries to prohibit the use of animal husbandry systems or veterinary drugs if that country thinks that they are damaging, inappropriate or against the interests of consumers.

Secondly, each country ought to have the right to prohibit the imports of products that are derived from animals reared in systems that are regarded as unacceptable in terms of welfare, standards and cruelty, or products that have been treated with drugs that have been banned in the European Union.

Thirdly, products that have been produced in damaging or non-sustainable ways should also be subject to boycotts or restrictions within GATT.

Fourthly, I endorse—although time does not allow me to touch on this—all the points made about the exploitation of people around the world. GATT does not take into account the use of child labour and slave labour in certain parts of the world and products derived from that.

GATT should also take into account social issues, the right of people to join trade unions to protect their interests and basic human rights. GATT should not be used as an excuse to level down, to condone and encourage exploitation, and to undermine those countries that are striving for high standards—whether animal production, agriculture, food quality or health and safety of people at work. If we are to get the benefit of GATT—there are potential benefits—those issues must be addressed by the Government, who are responsible for negotiating on behalf of our people.

8.34 pm

Mr. Jim Lester (Broxtowe): I apologise to the House for not being here for the whole debate, although I indicated that I had previous commitments. I did come in for the opening speeches, and I am delighted to have the opportunity to participate.

It is fair to make criticisms of GATT, but it is also fair to assume that, if we had not had it, we should have had an infinitely worse situation. As one of those who pressed continuously for GATT and who supported the Government in all that they did in terms of reaching agreement, I feel that it is a worthwhile state of affairs for organising world trade well into the next millennium.

It is the first agreement of which I am conscious which sets down rules which will take us into the next millennium. I do not say that for the selfish reason that it should be helpful to Britain and our manufacturing industry. I genuinely believe that GATT will be of overall benefit to the world community. I should like to support all that has been said about the activities of the Prime Minister and other Ministers, but especially those of Sir Leon Brittan in terms of his mammoth negotiations with the United States. I hope that the talent and expertise that he brought to bear in the trade negotiations will be recognised within the European Union. When the curricula vitae of the various people likely to become President of the Commission come to be considered, I hope that the unswerving and devoted work that Sir Leon Brittan has done—particularly in taking the European Union through those difficult negotiations—will be recognised.

I have always felt that we needed a world trade agreement which took us forward, because I have never felt that Britain's interests, or those of the developing word, were compartmentalised. We could not see our future in terms of employment and development simply by trading ever more sophisticated products to one another. There had to be a system whereby the transfer of resources and the ability of the developing world to improve its position was of direct benefit to the western world, and particularly to Britain.

One has only to look at the way in which Asia has developed in recent times, and at the problems that we have had with Malaysia. When we draw up a balance sheet of what is happening in Malaysia in terms of our exports there, we see that that country's development and the way in which it has become one of the major economies in south-east Asia is very much based on the sort of transfer of technology and assistance that this country has been able to carry out with Commonwealth countries. We see the same in Vietnam and China; during the past three years our trade with China has increased dramatically as that country's own economy has developed. It was important to get an international agreement which fostered and encouraged that development rather than stifled it.

I was particularly pleased about the agreements on intellectual property. That is a new concept, and the ideas that people have are not made of steel any more. They are not obvious, but they can have dramatic effects; one computer programme can be of immense importance and tremendous value in terms of organisation. I was horrified to hear the figure that my right hon. Friend the Minister for Industry gave in his opening speech about losses by the phonographic industry world wide as a result of piracy. We are all familiar with music—perhaps not the sort of music that one plays every day—which is available throughout the developing world at a nominal cost where new tapes have been pirated in a short time. A famous author told me that his book had scarcely hit the stands in Britain before it was copied and on sale in Singapore. Such copying would not give the author any royalties. We must therefore be vigilant about the concept of intellectual property, which also has a particular role in terms of pharmaceuticals —in which Boots, a constituency company of mine, has a particular interest.

I am delighted to pay tribute to the President of the Board of Trade and his Ministers for gearing themselves up, well ahead of the White Paper, to promote British interests and exports. I suspect that, nowadays, no Minister from any Department ever goes abroad on a mission without a group of business men and other people who can be introduced so that the long-term interests of Britain are promoted. The significance of such visits has been apparent in many countries. I was recently on a visit to Taiwan with the Select Committee on Foreign Affairs which happened to coincide with a visit from the Minister of State. It was a joyful occasion, because we were able to capitalise on the good will that had been generated. The Minister's role was important because he brought key players with him from Britain to that growing, powerful economy. That visit was important for future trade.

I have a long-held interest in the developing world and I am chairman of the all-party group on overseas development. It is worth noting the significant effect of the Uruguay round on developing countries, because they participated in force in multilateral trade negotiations for the first time. In the Uruguay round they had clear objectives for their agricultural, textile and clothing exports, and for products which had always anomalously remained excluded from previous GATT settlements. It is clear that some wanted to protect their positions in terms of services, intellectual property and laws affecting foreign investment. The impetus to liberalise their own trade, however, whether undertaken under duress or not, had also increased their interest in strengthening a rules-based international trading system. That represents a sea change. For instance, a decade ago Mexico was not even a member of GATT, but now it is a member of the Organisation for Economic Co-operation and Development. India is no longer introverted and aims to trade competitively. The trust that such nations have put in free trade must not be disappointed or controverted.

In the traditional GATT subjects, especially tariffs on manufactures and in traditional primary commodity exports, there is little left for any country to gain because barriers have come down so far already. The Uruguay round does not, unfortunately, reduce tariff escalation very much. Changes will come mainly from adjustments in relative preferences, but average effects will be small.

The Overseas Development Institute calculates that a once-and-for-all gain to developing countries resulting from full implementation of the Uruguay round settlement would be worth about $100 billion in extra exports, and more if account is taken of the dynamic effects of trade and specialisation on income growth. Not all developing countries will necessarily be net beneficiaries. It is extremely important that one should not generalise. Some African countries, particularly those which import food, will be marginally badly affected. I am glad to note that the Minister has already announced measures to take that into account.

Mr. Enright: I am rather disturbed at use of the word "marginally" as it is clear that the sub-Saharan African countries will suffer greatly under the GATT agreement. The ODI has already said that. Will the hon. Gentleman comment specifically on the worries about the Lomé agreement and the actions currently being taken against that agreement as a result of parts of the GATT agreement? Those actions are a source of great concern to the majority of Africa.

Mr. Lester: I shall comment on that as I develop my speech. I used the word "marginally" advisedly because the ODI's assessment is that the agreement is nothing like so significant as Christian Aid and others have suggested. For instance, Bangladesh is one of the poorest countries, but it is one of the main beneficiaries of the GATT round as its trade will increase overall by 14 per cent. China, which is not even a member of GATT yet, stands to benefit immensely from trade liberalisation. I cite those examples because they directly affect Britain, especially in terms of our trade with China as it becomes more sophisticated and therefore needs more of our products.

More generally, studies conducted by the World bank and the OECD expect world income to expand by 1 per cent. annually—between $200 billion and $300 billion—as a result of full implementation of the Uruguay round. They calculate that developing countries' share of that income, as well as exports, will be about a third. That is a significant share.

In answer to the hon. Member for Hemsworth (Mr. Enright), strong enforcement and dispute settlement powers are needed. The World Trade Organisation should be established as a viable successor to tie the always temporary GATT. The concern expressed by the hon. Member is borne out in a different way, because developing countries are queuing up to be founder members of WTO. That hardly suggests that they have anything to fear. They know where advantages are to be seized under the new trade regime and most of them realise that in the future there will be relatively little mileage left in the culture of preference selling, however honourable its post-colonial origins once were.

In connection with the mid-term review of the Lomé convention which is just starting, the ODI has separately calculated for the African, Caribbean and Pacific secretariat what the losers in trade liberalisation will miss and what they should do about it. The ODI recognises that the Uruguay round settlement will lead to a loss overall to the preference-dependent ACP states of just 144 million ecu—a mere 0.7 per cent. of their exports to the European Union market and a much smaller fraction of their total exports. Many of those countries, such as Zimbabwe, will register gains. Food import-dependent states such as Ethiopia and Senegal will lose out more heavily and will have to change their policy. Within GATT we are already taking those losses into account and making provision to help deal with the temporary circumstances.

Mr. Enright: Senegal has already changed its economic policies three times at the behest of international organisations ranging from the World bank and the International Monetary Fund to the European Union. Now it is being asked to change its policy yet again. That is insupportable.

Mr. Lester: We cannot have a country such as Senegal wagging the tail, for whatever reason, of the 150 nations which are now signatories to GATT. We must make special provision and the Minister of State has already spelt it out. Many of us will be conscious of the difficulties, but overall the Uruguay round represents a major benefit to developing countries. The settlement brings new export opportunities even for Senegal and Ethiopia, not least in the booming Asian market.

I welcome the debate and I support the GATT round. I recognise that, overall, the settlement will benefit rather than disadvantage developing countries. Where we need to make special provision for a handful of ACP countries, we should do just that, but we should also encourage the quickest possible implementation and operation of the GATT agreement.

8.47 pm

Mr. George Howarth (Knowsley, North): This has been a useful, timely debate, because it is right that the House should consider the implications of the Uruguay round. It is important that we spend some time considering not only the advantages of that agreement but hon. Members' fears and predictions about some difficulties that may arise.

Most speeches came from Opposition Members and it is important to acknowledge some of the arguments which have been properly and ably made. I had to miss part of the speech by the hon. Member for Gordon (Mr. Bruce), but I agreed with much of what I heard. We would not disagree with much of what he said about the implementation of trade. It is important to acknowledge that some common ground exists.

The speech by the hon. Member for Broxtowe (Mr. Lester) showed the understanding that he has gained from holding positions on all-party groups. It was important for that voice to be added to the debate, from whichever side of the Chamber it came.

My hon. Friend the Member for Hemsworth (Mr. Enright) was customarily eloquent and also knowledgeable on the subject. I do not wish to undermine what he said, but I could not compete with his knowledge of the banana industry in the Caribbean. Suffice it to say that I hope that the House will take his point because the issue is clearly important.

Similarly, my hon. Friend the Member for Alyn and Deeside (Mr. Jones) stoutly defended the aerospace and steel industries. Although I am not exactly a neighbour, my constituency is not far from his so I am fully aware of his constituents' concern about those industries. Some of my constituents work in his constituency, so they keep me informed about the position. My hon. Friend made some legitimate points.

My hon. Friend the Member for Rotherham (Mr. MacShane), in only his second speech in the House, demonstrated his command and knowledge of the detail of the steel industry, which is important in his constituency, and of the social dimensions arising out of world trade and particularly GATT. His speech leads me to believe that we shall hear much more of him on that and related subjects.

The thoughtful speech by my hon. Friend the Member for Nottingham, South (Mr. Simpson) ranged over several global economic, social and environmental issues. Much research had clearly gone into it.

My hon. Friend the Member for Islington, North (Mr. Corbyn) took us on a Cook's tour of the world's problems with GATT. Without endorsing every word that he said,

[Mr. George Howarth]

may I say that it was clear that he had travelled to some of those spots and that his feelings on the subject were heartfelt. We all share some of his concerns on behalf of the poorer regions.

My hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley) showed his knowledge and understanding of, and his sympathy for, agricultural communities, wildlife and animal husbandry. It was timely to bring such expertise to the debate and he did so with passion.

I shall not comment in detail on the speech of the hon. Member for Sutton and Cheam (Lady Olga Maitland) because I was not sure that I entirely followed it. Indeed, I was not sure whether the hon. Lady followed her own speech. It was sometimes better informed when she was assisted by the hon. Member for Esher (Mr. Taylor), who helped her at least once. It is usually best to draw a veil over the specific content of her speeches.

We are genuinely concerned that environmental considerations should be built into, indeed entrenched in, GATT. GATT's potential economic advantage—I stress the word "potential"—for freer world trade cannot be bought at the cost of further destruction of our global environment. Some weeks ago, I thought that that point was uncontroversial and that most sensible people would agree that the economic thrust of GATT and its effect on the world environment were connected. However, on re-reading the Prime Minister's statement to the House on 16 December, I began to wonder whether that matter was controversial. Following that statement, my late right hon. and learned Friend, John Smith, asked the Prime Minister:

> "On the environment, will the new Multilateral Trade Organisation be given a remit to recognise the importance in the modern world of linking economic development with environmental protection?"

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. Howarth: I shall give way once I have finished the quotes.

In responding, the Prime Minister said:

> "There is no question that development will be at the expense of the environment and I do not believe that anyone seriously imagines that that will be a problem."—[*Official Report*, 16 December 1993; Vol. 234, c. 1271-72.]

Some months later, on 4 June, the Prime Minister was quoted in *The Guardian*. If Conservative Members are not keen on *The Guardian*, they can refer to any of the other newspapers that reported it at the time. An article by Paul Brown, the environment correspondent, said:

> "John Major, opening the World Environment Day award ceremony yesterday, praised free trade as the answer to the world's environment problems and was immediately accused of 'dangerous wishful thinking' by one of the winners.
>
> Mr. Major said the opening of markets around the world in the Gatt Uruguay round was the environmental landmark of 1993. Increasing global prosperity was an essential precondition to sustainable development. 'Trade will be the most powerful means of raising living standards in developing countries and thus open the way for further progress on environmental protection.'
>
> Many of the award winners at the ceremony to honour the United Nations Global 500 Laureates were dismayed by Mr. Major's remarks.
>
> Paul Ekins, the only economist among the 39 Laureates honoured yesterday, said the Prime Minister's views had no foundation in fact."

So there is some controversy and the Prime Minister seems to change his views on the subject, depending on the audience that he happens to be addressing.

Mr. Jacques Arnold: Will the hon. Gentleman tell us about the relevance of the provisions of the Earth summit agreements signed in Rio de Janiero, which were also negotiated by the Prime Minister?

Mr. Lester *rose—*

Mr. Howarth: It is usually a good idea to answer the question that one has just been asked before taking on another. I shall give way in a few moments.

I intend to come to the subject of the Earth summit agreements in a moment. *[Interruption.]* The hon. Member for Gravesham had the opportunity to make his speech; he made it in his own way and I shall make my speech in my own way. I intend to refer to Rio later and then I shall make some observations on the very argument that he makes. I give way to the hon. Member for Broxtowe.

Mr. Lester: Surely the hon. Gentleman recognises that poverty in many of the poorest countries in Africa is the main reason why their environment is destroyed. One cannot go to a poor country without seeing the total destruction of its environment. The Prime Minister was right to say that raising standards in those countries, so that the people can begin to earn enough to have a stove, to use electricity, instead of cutting down all the trees for miles around their encampment, is of direct benefit to the environment.

Mr. Howarth: I agree with the hon. Gentleman. The key thing, which I intend to discuss in a few moments, is not that we do not want economic development. It is vital and the hon. Gentleman is right to emphasise that—as indeed, in one of his statements which contradicted an earlier one, was the Prime Minister. The key argument that we wish to make is that economic development cannot take place—I am sure that the hon. Gentleman would agree —at the expense of the environment. *[Interruption.]* If the hon. Member for Gravesham shows a little patience, which is not customary for him, perhaps he will learn something. As my speech develops, I shall answer some of the arguments that he is trying to make from a sedentary position.

It is important that we consider the environment in terms of GATT because there are three vital possible ways in which we need to look afresh at the way in which we consider the issues. The first is the process of harmonising standards under the auspices of the International Standards Organisation. If the process is allowed—several of my hon. Friends referred to that—it could lead to downward pressures rather than increased environmental protection. It could also lead to technology transfer being restricted rather than developed further as we had hoped, and the consequences would be catastrophic to the environment in the developing world. I am sure that the hon. Member for Somerton and Frome (Mr. Robinson) would agree with that.

Mr. Mark Robinson *indicated assent.*

Mr. Howarth: It is important to provide reassurance —so far absent on the part of the Government—that the GATT treaty cannot and will not be used to challenge international agreements such as the Montreal protocol and the Rio conventions. Whatever their failings, none of those agreements—*[Interruption.]* The hon. Member for Gravesham is saying, "What rubbish", I think.

Mr. Jacques Arnold: No. I said, "What a red herring."

Mr. Howarth: It is not a red herring and I shall explain why in a moment.

Although they are not comprehensive, perfect agreements, they have been welcomed by Opposition Members, for important reasons. However—this is why it is not a red herring—under the GATT arrangements there have already been challenges to the Austrian timber ban on the import of tropical timber and challenges in the tuna—dolphin case, to which several of my hon. Friends referred, as the hon. Member for Gravesham would know if he had bothered to stay in the Chamber for more of the debate. There is already evidence that important environmental considerations are being challenged, and that they are being challenged on the basis of GATT. It is important that those conventions are upheld. I should have been far happier if there had been an article in the agreement listing those important treaties that should be exempt from challenges under the GATT rules. That is a minimum condition that we would need in order to be satisfied that it is environmentally friendly and will not be damaging to the environment.

Similarly, the treaty sets out the inviolable rights of states to independent action—for example, to protect health. Why could not there have been a similar statement, making it clear that nation states still had the right to protect their environment from processes as well as products? Products are to some extent covered, but often the processes that lead up to the production of those products are not. It would have been more reassuring had there been a statement to that effect.

Although we equally welcome the establishment of the proposed World Trade Organisation, we feel strongly that it needs to be a proper and democratic organisation. The obvious way of ensuring that would be to construct proper lines of accountability that lead to the United Nations. If one is to have an agreement on a global scale, the United Nations is the most appropriate organisation to deal with it.

We also believe that the organisation needs to be transparent in its decision making by meeting in public so that people know what it is talking about; by voting in public so that people know who has voted in what way; and by receiving and taking evidence in public so that the arguments as well as the decisions made and the votes cast can be assessed.

We feel that, for the process that is envisaged to be valid and useful, there needs to be some commitment that it will have an element of permanence, that it will not run out of steam in 12 months' time without any momentum. There is so much to do that it is important to have some permanence and stability about the way in which decisions are taken. There needs to be a proper appeals procedure, constituted in a fair and accessible way, so that those who fall foul of the system know that there is an opportunity to appeal.

It is also important that the GATT working party on trade and the environment is prevailed upon to report within a year and that the contracting parties agree to follow with an action plan, we hope within two years, so that the momentum built up on the environment can be followed through.

The most important principal issue, to which several of my hon. Friends referred, is that we seek globally sustainable trade within a fair trading system, rather than the uncontrolled system that several Conservative Members seem to believe is the only way forward. As my hon. Friends have strongly argued, it is now generally understood that economic and social development are indivisible and that acute poverty in the developing world creates a climate that forces individuals and some Governments to collude in environmentally damaging processes and practices.

Similarly, there is an overwhelming case for taking measures and delivering strategies globally to help to close the north-south gap. Several of my hon. Friends referred to that at length. We need to lift the burden of debt and spread the fruits of global economic activity. To put it bluntly, environmental protection cannot be postponed until the third world has grown rich, but nor can it be achieved by keeping it poor.

The key issues on sustainable economic development and the environment remain unresolved. Tonight we are, in effect, asked to trust a Government who, by their words and record, believe in untrammelled free trade but not in fair trade—a Government continually forced to fall back on short-term measures when the world is palpably ready for a global strategy for sustainability. We are asked to trust the Government but, like the rest of Britain last Thursday, our answer must be that we cannot. Although the jury may still be out on GATT, it has already delivered its verdict on the Government's stewardship of trade, industrial development and environmental protection, and they have been found guilty. The sooner the sentence is passed, the better.

9.6 pm

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Neil Hamilton): I am pleased by the broad welcome from both sides of the House for the GATT agreement, however much some of it was hedged around by caveats. Many hon. Members, especially on the Conservative Benches, spoke eloquently about the advantages of free trade and welcomed the achievements that the whole world can claim for the GATT agreements.

However, there were exceptions. I was intrigued by the speeches of the hon. Members for Nottingham, South (Mr. Simpson) and for Islington, North (Mr. Corbyn). From the nature of their speeches, I gather that they will not be part of the campaign team of the hon. Member for Sedgefield (Mr. Blair). In fact, there was a certain period aroma about them—circa 1848. The sentiments that they expressed are not often heard today in other parts of the world. The hon. Member for Nottingham, South declared himself in favour of planned trade. Not many countries today claim to plan their trade. Indeed, apart from Cuba, which is moving away from planned trade, I can think only of North Korea.

I am not sure how both hon. Members find a place in a modernised Labour party. Perhaps we will learn more about that in due course. The essence of their case is that trade impoverishes, whereas the lesson of the last couple of thousand years is that trade enriches. Development is everything at which we should aim in third-world countries, rather than seek to reverse it. What sort of position would Germany be in today if the Tollverein had not been created in the middle of the last century and that country was still a motley collection of city states and tiny

[Mr. Neil Hamilton]

principalities? Would it be the economic power house that it is today? The answer is self-evidently no, yet that is exactly the kind of trading system advocated by the two hon. Gentlemen.

That view has gained support in some parts of the European Union, as demonstrated by the results of last week's elections. I never thought that those hon. Gentlemen would be soul mates of my good friend Sir James Goldsmith, but it appears that there is a bond of contact between them that would perhaps surprise Sir James. I understand from my reading of newspaper reports of Sir James's campaign that his view is that the west must be protected against cheap labour economies because of the social upheaval that might be caused in the west as a result of the changed trading patterns that would occur in a relatively short period. I understand that there is an argument on a transitional basis, but the GATT agreements will be phased in over a period, and we seek to take account of that.

Overall, enabling trade will increase opportunities for wealth creation all around the world, including in the European Union. That is something that the Government unambiguously welcome.

Now that agreement has been reached, we should not be complacent. There is much work still to do. As my right hon. Friend the Minister for Industry said earlier, if the United Kingdom does not seize the opportunities offered by the new agreement, others certainly will. British industry must act fast. If it does not, it will lose out—which is why the Department is particularly concerned to assist British industry to win in world markets. That is the essence of everything that we do. It was the essence of our competitiveness White Paper published just before the Whitsun recess.

The impact that government has on business and on the opportunities to create wealth and jobs should be at the forefront of all our minds. That is not to say that we must make a god of money, but in taking decisions in almost every policy area we should be fully aware of the economic impact, in so far as it is compatible with other policy objectives. We should ensure that it assists our trade rather than restricts or diminishes it.

In that respect, export promotion—which featured in a number of speeches from hon. Members on both sides of the House and particularly in the speech of the hon. Member for Gordon (Mr. Bruce)—is of great importance. The Department has transformed export promotion. This country's 80 top markets are analysed by private sector individuals brought into the Department, who have written market plans and involved industries in the leading economic and trading sectors. As a consequence, the Department is much better informed than before. I hope that, over time, industry will become better informed about the services that the Government can offer and the means by which they can be delivered. That is also important.

The Export Credits Guarantee Department is an important element. The hon. Member for Gordon acknowledged that its functions have been extended and the terms on which guarantees are granted have been liberalised. The hon. Gentleman mentioned that a lower premium rate is offered by the Italians for a specific project, and he criticised the higher rates charged by ECGD. In fact, it seeks to match its premium rates to the risks attached to a given market. That means that, although rates may be higher in certain markets, they may be lower in many others.

The premium is not the only consideration in determining the quality of cover provided. Benefits to exporters include the value of cover. One important difference between the ECGD system and others, particularly in the European Union, is that the department's cover is provided at 100 per cent. of the loan value and is unconditional. In other countries, such as Germany and France, cover is only at 90 per cent. of value and is conditional. There are significant differences between schemes and no doubt one could argue about them, but it is not a sustainable proposition that the ECGD's scheme is any worse than others—although companies that have been unable to obtain cover for a particular project may complain that it is. But let nobody be in any doubt that we support the expansion of world trade and that we want a bigger share of it for Britain. I hope that that is something that will unite the House. There should be unanimity on that point.

The debate ranged widely today and I shall try to take up some of the points that were made. They are, however, so numerous that I doubt whether I shall be able to consider all of them in my speech. I shall try to consider some of the main issues.

The hon. Member for Middlesbrough (Mr. Bell) raised the question of trade in services and the expansion of the GATT into GATS. The extension of multilateral rules to trade in services is one of the main achievements, in my view, of the Uruguay round. The agreement lays down a series of general disciplines to which more than 100 signatories will be obliged to adhere. The creation of the GATS framework of principles and rules, including provisions requiring measures affecting trade in services to be fully transparent, will be of benefit in providing predictability and consistency, which UK services suppliers regard as vital. That, of course, is just a first step towards a progressive liberalisation of services sectors, and there are some instances of discriminatory measures being removed or relaxed.

Many countries, in many sectors, have taken on stand-still obligations so that they do not introduce more onerous conditions in the future. That is to be welcomed. I am particularly keen that we should reach an acceptable agreement on financial services, which is a particularly important sector for the United Kingdom. There will be clear benefits from having it covered by multilateral rules. The great majority of countries that participated in the round were prepared to make liberalisation commitments in financial services, but, alas, further work is needed to complete the package. I hope that it will be completed swiftly. In some cases—Canada is a particularly good example—countries undertook to remove or relax existing measures that discriminate against foreign firms, but in most cases countries' liberalisation commitments are based on the stand-still provisions, which I mentioned a moment ago. But, even so, such limited commitments are valuable as they guarantee that current levels of market access for foreign firms will be maintained.

When the negotiations concluded, there was a real danger that financial services would effectively be excluded from the GATS package. In particular, the United States was not satisfied with the level of commitments that were being given by some trading partners, particularly far eastern countries, and was not prepared to extend US concessions to those countries. It was decided, therefore, to continue negotiations in financial services to provide the opportunity for improved commitments to be made.

Six months after the World Trade Organisation comes into being, all participants will decide finally on the level of their commitments and whether they wish to derogate from the most-favoured-nation principle in any respect, for example, by keeping the ability to make access to their financial services markets conditional on reciprocal access for their companies in other markets. Our Government will work for a satisfactory outcome based on full most-favoured-nation principles, and an outcome in that highly important sector based on bilateral market opening through the use of reciprocity measures could, in my opinion, be very damaging. The prosperity of the City of London depends on its openness and the Government will fight hard to ensure that it is maintained.

Another feature of the debate has been the emphasis that Opposition Members have placed on the so-called "social clause"—trade, labour and social standards. That is an important question and I am happy to deal with it. The Government are committed to international action in support of human rights, and to stop the exploitation of children, but trade sanctions or restrictions are unlikely to work, and may in fact do much harm to the trading system. So we oppose moves by some, including France and the United States, to introduce trade rules and labour standards, or a social clause to the World Trade Organisation. Instead, we are promoting proper analytical work in the Organisation for Economic Co-operation and Development to sort out the issues and to see where there are problems that need to be addressed. The UK approach enjoys a good deal of support in the European Community and, indeed, the rest of the world.

Mr. Bell: I am grateful to the Minister for discussing the issue and for putting it on record that the British Government have agreed—through the OECD—to participate in the analysis of social rights and obligations in relation to trade.

Mr. Hamilton: I thank the hon. Gentleman for his intervention.

Mr. Corbyn: What does the Minister propose to do when the analysis is complete and it has been demonstrated that child slave labour is being used and disgracefully low hourly rates are being paid in the economic zones of such countries as China?

Mr. Hamilton: I am surprised that the hon. Gentleman should make such an obviously fatuous point. The idea that China's internal domestic policies will be influenced in any way by the trading obligations that others seek to impose on it is utterly preposterous: all the evidence of recent years shows that that is not so.

What we know from the history of the world is that dictatorial, totalitarian regimes tend to occur in poor countries. The best way in which to avoid dictatorships and repressive regimes is to enrich the peoples of those countries, rather than impoverishing them. We seek to expand the opportunities for world trade, to bring the countries into world markets rather than excluding them and hence—not only by example and precept, but by the change that results from economic enrichment—to alter the political systems that the hon. Member for Islington, North has spent so much of his life supporting and promoting.

Trade restrictions aimed at enforcing labour standards would almost certainly be unacceptable to the majority of developing countries, most of which behave perfectly respectably in terms of labour rules. The problem is simply that they are poor: any such trade restrictions would be a real excuse for protectionist abuses, which would make people in developing countries poorer, increasing misery and removing hope. I cannot imagine a more selfish option. Moreover, whatever sacrifice British industry might make, I think that we can be certain that some other countries would not be quite so scrupulous: the hon. Gentleman would not achieve his objective even then.

Real humanitarian issues such as slavery are best tackled through the United Nations system, as at present. UK law provides for prison-made goods to be banned from the UK, but that law has never been used because of the difficulty of proving the origin of any particular goods. That is a good example of the practical problems that could be expected to arise during attempts to deal with labour issues within the trading system.

Mr. Corbyn: The Minister now appears to be keen to remove sanctions. In that case, why on earth are sanctions being pursued against Libya, Cuba, North Korea and Iraq?

Mr. Hamilton: I do not think that we want to go down highways and byways of that kind. Let me deal with the other issues with which serious participants in the debate wish me to deal—in particular, trade and the environment.

Hon. Members have claimed that the WTO agreement will harm the environment or undermine important environmental policies and agreements. Again, I do not see how that can happen. The WTO agreement will not prevent countries from taking steps to protect the environment; it will help to stop the use of environmental excuses for protectionist purposes.

The UK is committed to proper protection of the environment, and to the maintenance and development of an open, rule-based trading system. That is why the UK has strongly supported the establishment of a WTO trade and environment committee to look further at new rules to reconcile the needs of the environment with the trading system. The UK is particularly sensitive to the need to involve developing countries in the process, because those countries often fear that the environment is used as an excuse to restrict their trade and market access. We must ensure that that does not happen. I can tell the hon. Member for Islington, North that nothing in the GATT round will prevent countries from meeting their obligations under the Montreal protocols.

A number of Opposition Members raised the tuna and dolphin case—in particular, the hon. Members for Glanford and Scunthorpe (Mr. Morley) and for Nottingham, South. I am happy to deal with that point, too. There have been two dispute settlement cases in GATT involving tuna and dolphins. In 1991, a dispute settlement panel upheld a Mexican complaint that the US had banned the import of Mexican tuna in violation of US GATT obligations. In that instance, the US action was aimed at protecting dolphins which swim with tuna in the eastern tropical Pacific—a point mentioned specifically by the hon. Member for Nottingham, South.

[Mr. Hamilton]

The United States rules were discriminatory because United States boats faced easier targets than foreign boats. They were also retrospective in their application. The GATT dispute settlement panel also confirmed that GATT rules do not allow unilateral trade action to be taken in pursuit of environmental goals wholly outside the country taking the action. It confirmed the United Kingdom view that multilateral agreement is the best way to tackle global environmental issues.

This year, the EC won a case in GATT against the so-called United States secondary embargo. It was a silly idea because the United States banned imports of tuna from countries that did not ban Mexican tuna at the time of the first case, ostensibly to prevent so-called tuna laundering, but really to put extra pressure on Mexico, so the case does not add much to our understanding of the wider environmental issues.

That shows, however, that efforts to enforce environmental rules by using trade bans are unlikely to work and that engaging the co-operation of others is much better than coercion.

Mr. Malcolm Bruce: Does the Minister agree that as we move on to the next round of GATT, it would be appropriate for an environmental responsibility to be built into the World Trade Organisation and that it should be the instrument for enforcing what has been previously agreed? That is not incompatible with what he has just said.

Mr. Hamilton: It is one possibility that will be considered in the near future. I cannot forecast the outcome of those negotiations. These have been difficult enough and went on for long enough, but I hope that other countries are as concerned as the hon. Gentleman is—and of course we are concerned about the environment, as my hon. Friend the Member for Gravesham (Mr. Arnold) demonstrated in a number of telling inventions in Opposition speeches and in his own speech.

The interface between the trading system and the environment is one of the issues which cross countries' borders. It is appropriate that such issues should not be wholly excluded from the debate, so they will be looked at.

The hon. Member for Glanford and Scunthorpe also asked about animal welfare and how that is affected by the Uruguay round. Animal welfare issues are not dealt with explicitly as part of the round, but any trade restrictions on animal welfare grounds will continue to be subject to the broad provisions of GATT. As such, they must not operate with discrimination between GATT members or amount to an arbitrary or unnecessary barrier to trade. In Britain, our standards for animal welfare are a matter of domestic choice. There is no automatic provision within GATT to permit restriction on third-country trade because production takes place under less demanding welfare conditions than nationally, but, if applied, such restrictions should not be any more onerous than the requirements placed on domestic producers.

As regards third-country imports produced under less stringent welfare conditions and the hon. Gentleman's proposition that they should be restricted, the Community will continue to be able to make bilateral arrangements with exporting countries regarding the source of particular export products. It is not appropriate for one member of GATT to impose arbitrary restrictions on trade with third countries. The United Kingdom will continue to work closely with its European partners to ensure due consideration of animal welfare issues.

Once again, this is an issue with an interface with the trading system. I can understand the hon. Gentleman's concerns, but we must be ever-vigilant to ensure that such matters are not used as excuses to undermine the freedom of trade because that would be to throw the baby out with the bath water.

The United Kingdom has very obvious interest in maintaining the maximum freedom of trade around the world because such a high proportion of our national product is derived from international trade. As my hon. Friend the Member for Gravesham pointed out, we export more per head in this country than any country in the world, so we have a more vital interest than most countries in maintaining the integrity of the international trading system.

Mr. Morley: Does what the Minister is saying mean that if the European Union wants to continue to ban the importation of beef which has been fed hormones, as is the American practice, that can still be done under the GATT rules and arrangements?

Mr. Hamilton: I am not an expert on this matter, as might be obvious. My right hon. Friend the Minister for Industry assures me that some disciplines do apply, although, in the time available, he is unable to prompt me to repeat them at the Dispatch Box. I shall be happy to respond to the hon. Gentleman in a more permanent form and, I hope, satisfy him as a result.

Many hon. Members concentrated on the impact of GATT on developing countries. Developing countries know that they stand to gain from freer trade and the stronger trade disciplines that the round will bring. They made up a majority of the countries participating in the negotiations and, on a number of occasions, they took a lead in urging progress on the developed world. That was one of the outcomes of the Limassol conference in November 1993.

Last November's OECD-World bank study estimated that incomes in non-OECD countries would increase by some £78 billion a year as a result of the round. I accept that these are forecasts and, like the hon. Member for Nottingham, South, we are right to be suspicious of them. Whatever doubts we may have about the authenticity of any specific figure, it can hardly be doubted that there will be an increase in world trade as a result of the treaty and that that increase will be substantial, which will help to raise income levels and create jobs. Developing countries would have suffered more than most from any increased protectionism had the round failed.

The Government recognise, however, that the gains for developing countries will not be evenly spread. Most studies suggest that agricultural reforms will lead to price increases for most staple food products compared with the level of world prices in the absence of an agreement. That will raise the cost of imports for the developing countries that import foods, a point made by the hon. Member for Hemsworth (Mr. Enright), but which was well rebutted by my hon. Friend the Member for Broxtowe (Mr. Lester). In so far as the cost of imports for developing countries that are net importers of food creates problems, it should also create incentives for local farmers to increase production, so enabling developing countries to reduce their dependence over time on imported food.

The final act of the round also includes provisions to assist net food importing countries through food aid and the resources of international financial institutions. That enables us at least to meet some of the difficulties faced by some countries. However, I agree that, overall, developing countries will be significant net beneficiaries of the changes to be made.

Mr. Enright: I said that I was talking not about Africa as a whole but about specific developing countries, especially those of sub-Saharan Africa. I went to some trouble to say that some African countries would benefit were it not for political difficulties that have nothing to do with GATT. We must recognise that a core of the African countries, especially the sub-Saharan countries, will suffer severely from GATT because the slightest quiver on their economic scale has significant reverberations and we must do something about it. I am sorry that the Minister has not yet said anything about bananas, but I hope that he will guarantee that the Government will continue their good behaviour in that respect.

Mr. Hamilton: I shall deal with bananas in a second so that hon. Members will not be disappointed.

As I was saying a moment ago, a number of round agreements recognise the special needs of developing countries. Some provide technical assistance to help them to comply and others give developing countries the additional time that they will need in order to implement the agreements. A ministerial decision on measures in favour of the least-developed countries will assist in a number of other areas. They include the regular review of such measures, the flexible and supportive application of trade rules and substantially increased technical assistance. Taken together, it is a substantial package of measures which will help to alleviate and, in many cases, eliminate the transitional difficulties that will be caused. Set in balance against the opportunities that are provided for developing countries by this set of agreements, I believe that the benefit overall is substantial.

The hon. Member for Islington, North made some wholly erroneous allegations about the impact of GATT on agricultural support in developing countries. GATT commitments to reduce domestic support for agriculture in developing countries will be less than that in the developed world and will be implemented over 10 years rather than six. However, support which forms an integral part of development programmes will be, in any case, exempt from reduction commitments, as will all support for agriculture in the least-developed countries. If such support systems were wholly excluded by GATT, of course, the common agricultural policy, unambiguously on the same principle, would also be excluded. That may find favour as a proposition with some of my colleagues, but it is certainly not one of the outcomes of the GATT negotiations.

I shall now turn to the issue of bananas, to pacify and mollify the hon. Member for Hemsworth. A Community deal on bananas with four Latin American GATT complainants was agreed as part of the Uruguay round and we welcomed that as offering the potential for a period of stability in the EC banana regime. We will be strongly supporting the Commission to ensure that the deal is implemented to maintain the integrity of the regime itself. We have long-standing commitments to our traditional banana suppliers, which we fully intend to honour. With regard to the German case, which the hon. Member for Hemsworth raised, of course, we must wait and see how the European Court of Justice rules, but the preliminary view of the Advocate General last week was to recommend that the court overturns the case. The United Kingdom unambiguously supports the current agreement, which allows a mixed supply of bananas, and that is the policy of Her Majesty's Government.

Mr. MacShane: I am grateful to the Minister for news on bananas, on dolphins and on food, but may I turn his attention for a second to human beings? He did not answer the specific question that I put to him and his hon. Friends on whether the Government welcome the forthright statement by the president of the Swiss Confederation inviting the International Labour Organisation and the World Trade Organisation to co-operate strongly to set up joint bodies to link trade and protection for human beings, as defined by ILO conventions. Does the Minister welcome the statement or not? I would like an answer to that specific question.

Mr. Hamilton: I do not know if the hon. Gentleman missed the section of my speech in which I dealt with those issues. I have to admit that I had not come across the statement of the president of the Swiss Confederation, but I do not spend as much time in Geneva as he does.

A number of important constituency points were also raised, not least by the hon. Member for Alyn and Deeside (Mr. Jones). I wholly understand his concerns on issues such as steel and, indeed, aerospace. The hon. Member for Rotherham (Mr. MacShane) also inveighed heavily against subsidies to the steel industry, but, of course, only in other countries. That seems to be one of the problems with Labour Members. They find it rather difficult to take a universal view of such questions because they have been so inured over the years to supporting those disastrous policies in the United Kingdom. When we try to sweep them away around the world, there is a certain ambivalence about their welcome for the changes. I fully agree with the hon. Member for Alyn and Deeside about the huge productivity gains that have been made by British Steel in recent years. It is now one of the best steel-making companies in the world. It certainly causes us some concern when subsidies and other unfair practices in other countries, sometimes in the European Community, undermine the market position of a company which, in the free market, would undoubtedly be a market leader. We strongly oppose some of the unfair regimes, which the hon. Gentleman complained about in his speech, and we shall continue to do so.

With regard to the Airbus project, the hon. Member for Alyn and Deeside invited me to put pressure on British Airways to purchase one particular model as opposed to another. I have to tell the hon. Gentleman that we have moved away from that kind of role for the Government in the past 10 or 15 years. I do not know whether Opposition Front Bench Members are committed to reversing those policies, but I cannot believe that a reversion to a regime whereby politicians rather than business men decided on investment projects and the products to be purchased would constitute an advance.

[Mr. Hamilton]

I hope that British aerospace companies will prosper. We will do all that we can to improve the business environment and the export potential of those products. The full resources of the Department of Trade and Industry's export promotion departments will be made available.

Future large orders from the Ministry of Defence are not a matter for me. I will draw the attention of my right hon. and hon. Friends in the MOD to the remarks made by the hon. Member for Alyn and Deeside. As a north-west Member, I fully understand, as British Aerospace plants are very close to my constituency, how important such projects are to the future of that company.

I do not share the pessimism of the hon. Member for Alyn and Deeside that the agreement will fail to achieve its objective of reversing what he called industrial decline. In the increasingly competitive modern world, the only way to succeed is by becoming more competitive, which happens not by being insulated from competition, but by being exposed to it.

The most successful economies are without exception in countries that have very competitive home markets, particularly in Japan, where domestic competition is fierce. Those are very difficult markets to break into. The success of those industries, which they have been able to export to other countries, is based on fierce internal domestic competition. We must recognise that there is no means of insulating ourselves against that.

Overall, I believe that the agreement is a contribution towards raising the wealth-creating potential of this country and of the entire world. It has taken 40 years for GATT to reduce tariffs to their present level. It has taken 20 years to deal with non-tariff barriers, 10 years to agree to extend GATT rules to trade in services and seven years two months and 25 days to conclude the Uruguay round negotiations.

Nevertheless, the wait has been worth while. The conclusion of the Uruguay round represents a substantial further step down the road of trade liberalisation. Peter Sutherland described it as

"a defining moment in modern history".

The new agreement has paved the way for the creation of a new world trading system under the auspices of the World Trade Organisation and we give thanks for it.

My right hon. Friend the Minister for Industry spoke earlier of the courage shown by the nations of the world in choosing the route of liberalisation. At a time of stagnation in the world economy, it would have been easy to yield to temptation and to resort to protectionism. That was the great mistake that was made in the 1930s which deepened and lengthened the great depression.

However, the world has now taken a clear step in the opposite direction, concluding that prosperity is best achieved by means of strong multilateral trade rules and their vigorous enforcement. Courage will also be needed to put the agreements into effect and to build on them. However, in concluding the Uruguay round, the path of growth has been chosen. I commend the agreements to the House.

Mr. Robert G. Hughes (Harrow, West): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Patrick O'Byrne

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Robert G. Hughes.]*

9.42 pm

Mrs. Cheryl Gillan (Chesham and Amersham): As you know, Madam Speaker, I have been trying for some time to arrange this Adjournment debate. I am grateful to have this opportunity to raise the case of my constituent, Mr. Patrick O'Byrne, and his experiences originally with the Association of Futures Brokers and Dealers and subsequently with the Securities and Investments Board which has now assumed responsibility for this matter.

Although I appreciate that in the space of the next half hour my hon. Friend the Minister may not be able to provide any solution to Mr. O'Byrne's problems, I hope that the debate will enable matters of concern to be addressed and focused on by the Government and by the self-regulatory organisations concerned. As Mr. O'Byrne's Member of Parliament, I have made representations on his behalf for nearly two years, but despite every effort I have not been able to obtain simple answers to his questions about the procedures of the AFBD and the SIB. Probably the only route left to him would be a judicial review, which Mr. O'Byrne cannot afford and which indeed could take years. I have therefore requested this debate on his behalf almost as a last resort and I am sure that my constituent appreciates, as I do, the time that my hon. Friend the Minister is giving up to listen to and to reply personally to my constituent's problem.

Until 1991, Mr. O'Byrne was the owner of a company, Landsdowne Futures and Options Ltd, which was a member of the Association of Futures Brokers and Dealers and which operated from Wigmore street in the west end of London. Due to capital adequacy problems, Mr. O'Byrne tendered his company's resignation to the AFBD on 27 December 1990. The resignation was tendered after much thought and in increasingly difficult economic times. Only two weeks later, at a meeting on 10 January 1991, despite the fact that a tendered resignation was on the table, he was advised by the AFBD that if he injected £65,000 additional money into the company he could continue to operate.

Having confidence in that advice, on 17 January 1991, in the morning, the necessary additional capital was put into the business. However, not the next day, not the following week, not the following month but on that very afternoon, after the money had been injected into the business, he was informed by the AFBD that the company should cease trading. Mr. O'Byrne feels that the collapse of Landsdowne was not inevitable. As he says in his own words:

"I had numerous offers to join other companies. After all, with some 450 clients producing instant income, client production in the system and one million US dollars under management, I was an attractive proposition. So you can see that not only did the AFBD take my money, but they prevented me from making choices and from making a living."

A meeting was called for 1 February 1991 with the AFBD, which approached the issue in what appeared to Mr. O'Byrne and his colleagues as a totally unco-operative fashion—a distinct change from the previous meeting, at which the further injection of capital had been encouraged. With the suspension in force, Mr. O'Byrne naturally asked

—he had been given advice on previous occasions—under what conditions the company could restart trading, but no answer was forthcoming.

As my hon. Friend the Minister can imagine, the results of the AFBD's action immediately had catastrophic results for the company. Later that month, at a meeting with the then chief executive of the AFBD, Mr. O'Byrne raised his concerns, including the daily loss of money as the company was not allowed to trade but was still sustaining its overheads. Effectively, the company was in a kind of limbo, unable to trade but unable to lay off staff while the problem was unresolved. At that meeting, the solution proffered by the chief executive was a further injection of £70,000 into the business—something which by that stage was quite outside my constituent's resources. As a result, the whole business became subject to a business conduct tribunal, which was eventually held on 27 March 1991.

At that hearing, Mr. O'Byrne's lawyer was prevented from cross-examining the AFBD main witness by the panel, and Mr. O'Byrne feels—with some justification, in my view—that the judgment was produced on one-sided evidence. The tribunal's decision was to expel the company from the AFBD. That in itself seems curious, as my constituent had lost all his money and his business—and now, I may add, his home—when all that he had done was to follow advice given to him by the AFBD in the first place.

In May 1991, he lodged an appeal with the council of the AFBD and in the course of so doing raised numerous questions. No answers to those questions were ever produced. At a meeting of the council in June, the company was offered a choice of resigning from the AFBD or being expelled, causing Mr. O'Byrne further surprise as he had already tendered the company's resignation some six months earlier and by then the actions of the AFBD in suspending his right to trade had forced the company into insolvency. Since that date, there has been a raft of correspondence between the AFBD, the SIB and various other individuals. But to this day, answers to some of the basic questions have still not been given to my constituent.

In the two years that I have been dealing with Mr. O'Byrne, we have repeatedly asked for answers and my constituent still feels that the full circumstances have not come to light. Tonight, on his behalf I shall repeat the questions as clearly and concisely as possible in the hope that the organisation and individuals responsible will now feel obliged to answer them.

After Landsdowne Securities had resigned from the AFBD, why did the AFBD advise Mr. O'Byrne to inject £65,000? When he followed that advice, why did the AFBD move the goalposts so rapidly that following the injection of capital in the morning he was told to cease trading that afternoon? What was the reasoning behind the decision to commence an investigation of the company? Are there minutes of the meeting at which that was discussed? What details are there of the briefing that the council received about Landsdowne and Mr. O'Byrne, and should they not be made available to Mr. O'Byrne?

In the time allowed tonight I cannot make some of my points in detail but there are further points, such as why the AFBD did not respond to the questions raised in a telephone conversation between Mr. Swahey, Mr. O'Byrne's solicitor, and Mr. Simon of the AFBD on 21 January 1991. Further to that, why did the AFBD refuse to answer the questions submitted at the meeting on 1 February? Why was Mr. O'Byrne's solicitor prevented from cross-examining witnesses on fact at the panel hearing? Lastly, when the council considered what action to take against Mr. O'Byrne's company, who was present and what facts were alleged which resulted in the decision to pull the plug? Mr. O'Byrne has never been privy to the information about his company which was passed from the AFBD to the SIB, so how can he know whether it was accurate?

My hon. Friend the Minister may also wish to know that, relevant to this, during these delicate proceedings Mr. O'Byrne became aware of some wild and outrageous statements which were being made about his personal life, which he refutes absolutely but which were apparently circulating within the AFBD. That has caused him great distress, and to this day no explanation of their source has been firmly established, despite the fact that he feels that they may also have been used in reference to his company's situation.

Earlier this year, my constituent received a detailed report from Mr. Young of the SIB and I understand that a copy has been given to the Minister. Despite an apparently thorough investigation, there are still question marks especially over the procedures involved. Indeed, in a report prepared by Michael Blair, the general counsel to the SIB, he says at paragraph 22, addressing Mr. O'Byrne's request for more details about the SIB's procedures:

> "There is considerable informality about the handling of this aspect of SIB's duties. SIB has a wide range of responsibilities and in terms of staff mix relatively few junior staff. So there is by contrast to other organisations comparatively little set down in firm staff instructions. In many respects the staff are expected to know the Act or the parts of it relevant to them and to have a good working knowledge of relevant board decisions and previous practice."

I ask my hon. Friend whether that is a satisfactory state of affairs.

I accept the principle of self-regulation. As we have seen in other areas such as pensions, however, there can be a blind spot and when someone has genuine concerns, as in the case of Mr. O'Byrne, they may find it impossible to get a definitive response to a question because there is no recourse to any authority, other than a judicial review which comes at great cost and possibly after many years. It is Mr. O'Byrne's view—and it is certainly my impression of the case—that these self-regulating bodies are judge, jury and policemen in their own field. The SIB is not an appellate body, and its procedures are far from transparent. So long as there is not an appellate body on procedures, individuals—such as my constituent—who have been forced into bankruptcy and who believe that that is a direct result of the actions of that self-regulatory body appear to have no recourse whatever available to them.

I am aware that the ultimate route for appeal against a decision on membership lies with the commissioner appointed by the Governor of the Bank of England. This is a matter not of the membership status of the company, but of the procedures and facts in the case. Whatever the rights and wrongs of this case, there is a real need to review the experiences of the workings of self-regulatory bodies to see whether the case that I have raised is exceptional, or whether new bodies ought now to be created.

I hope that my hon. Friend the Minister will be able to consider the apparent blind spot in this case, and tell me if anything further can be done to help Mr. O'Byrne to obtain full answers to his outstanding questions. I hope that my

[Mrs. Cheryl Gillan]

hon. Friend will also comment on the possibility of reviewing the operations of the SIB and introducing an appeals system dealing with procedures and facts.

My constituent feels robbed and cheated, with no hope of discovering the details behind his sorry case. He has had my best efforts, support and understanding, and I now ask the Minister for his. No man should have his company and livelihood removed without access to the discussions and deliberations leading to the company's demise. I thank my hon. Friend for listening to me, and I await his reply.

9.56 pm

The Economic Secretary to the Treasury (Mr. Anthony Nelson): The House will be indebted to my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) for the impassioned plea which she makes on behalf of her constituent. I congratulate her on the way in which she has pursued this particular case, and so many others. My hon. Friend has acquired a deserved and early reputation as a doughty champion of her constituents' interests. She is one who does not give up. She approaches Ministers and follows through on cases, and I know from my own experience that her constituents are extremely well served in the way in which she advances their interests.

The case that my hon. Friend has raised tonight is another example of that. It is interesting that she does not just pursue the particular case, but draws on it to make wider comments about the regulatory system. Where she perceives the need for improvement, she demands them rightly in the House of Commons. Therefore, I make no complaint at all about seeking to answer the important issue which she raised generally, and the particular case on behalf of her constituent Mr. O'Byrne. I know that many people will sympathise—as I do—with him. His losses are serious, both personally and financially. I am sorry that he remains unhappy about his dealings with the Financial Services Act 1986 regulatory bodies. I think that it might be helpful if I begin by explaining the Government's role under the Financial Services Act.

The Act was introduced to provide a high standard of protection for investors. It provides a wide range of powers, most of which have now been transferred to the Securities and Investments Board as the designated agency under the Act. The SIB is responsible for recognising the practitioner-based self-regulating organisations, to which the majority of investment businesses belong. The Government established the framework within which regulators work, but the detailed ways in which the system operates are for the regulators themselves. The Treasury has no statutory role to intervene in individual cases.

My hon. Friend asked a number of specific questions about Mr. O' Byrne's case.

Sir Ralph Howell (Norfolk, North): Does not the Treasury have a responsibility to ensure that the SIB is carrying out its functions in an effective manner? I also have a constituent with problems in that area, and I feel that ultimately it is the responsibility of the Treasury to see that the body is doing its work properly.

Mr. Nelson: My hon. Friend is absolutely right. I would not wish to dismiss, sidetrack or avoid the responsibility of the Treasury for ensuring that the legislation is implemented properly. We passed an order in the House to designate to the SIB the supervision of the self-regulating organisations that, in turn, monitor the day-to-day activities of authorised businesses. That is the nature of the framework set out under the Financial Services Act. My hon. Friend is absolutely right that, of course, we have an interest and responsibility in ensuring that the law is observed. If the SIB does not fulfil its statutory responsibilities under the terms of the legislation, we have the right to revoke that designation. I assure my hon. Friend that that responsibility is an important interest of mine, which I take extremely seriously.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert G. Hughes.]*

Mr. Nelson: My right hon. and learned Friend the Chancellor also takes that interest seriously. We monitor and seek to ensure that the legislation is properly observed and implemented by the SIB. In turn, it must be satisfied that the SROs under it observe the criteria which by law they are required to observe. In this case, as in others, that has been properly done.

My hon. Friend the Member for Chesham and Amersham asked a number of specific questions about Mr. O'Byrne's case, some of which I will address later. Given the statutory position, it would be inappropriate for me to comment on the rights and wrongs of Mr. O'Byrne's case or on why the regulators took certain actions. I understand, however, that the SIB answered the questions addressed to it by Mr. O'Byrne in the report by the SIB's general counsel, Michael Blair. My hon. Friend referred to that report and acknowledged that she has received and read a copy of it.

I fully acknowledge that Mr. O'Byrne's case raises general issues about the disciplinary proceedings of the SROs under the Financial Services Act and about the way in which the SIB handles complaints about those disciplinary proceedings and about its own conduct.

Under the Financial Services Act, it is a condition of recognition by the SIB that, in the event of a disciplinary case concerning an SRO member, the SRO's rules and practices must be fair and reasonable and include adequate provision for appeals. The SROs are also required to have effective arrangements for the investigation of complaints against the organisation or its members.

In the case of Mr. O'Byrne's company, Lansdowne Futures and Options Limited, the SRO was the Association of Futures and Brokers Dealers, AFBD. I understand that the disciplinary case against Lansdowne involved capital adequacy problems. The regulations covering the capital adequacy requirements of investment firms are a vital ingredient of a regulatory system, which is designed to protect investors and maintain the financial integrity of the markets.

Lansdowne's case was considered in March 1991 by a panel appointed by the conduct of business committee of the AFBD. That panel included an independent lay element, a former circuit judge, who was an independent member of AFBD's council. After consideration by the panel, the matter was referred to the AFBD's governing body, the council, which comprised a number of Mr. O'Byrne's fellow practitioners and public interest members.

As my hon. Friend has said, in the case of the AFBD, the final appeal mechanism against membership decisions was to an appeals commissioner appointed by the Governor of the Bank of England. An appeals mechanism was, therefore, not only available under the AFBD's rules and procedures, but is a requirement of the Financial Services Act. I am puzzled that Mr. O'Byrne chose to resign from the AFBD rather than to exercise that option.

On the SIB's handling of complaints, the Financial Services Act requires the SIB to have effective arrangements for the investigation of complaints arising out of the conduct of an SRO. The SIB is answerable to the Treasury under the Act—a point raised by my hon. Friend —for the adequacy of those arrangements, along with a number of other functions. If the Treasury considers that the SIB's oversight of the regulatory structure is not adequate, it has the power, with the approval of each House of Parliament, to make an order assuming the functions transferred to the SIB.

If a complaint against a recognised body is substantiated, there are a number of possible outcomes. The SRO might decide to tighten up its procedures, accept that it must reconsider the issue, or offer to make an ex gratia payment to the complainant. Other options open to the SIB include an informal rebuke of the SRO, a public statement about the quality of regulation of the SRO, or a court order requiring the SRO to fulfil its obligations under the Act. The SIB, therefore, has a range of options open to it to ensure that the front-line regulators have disciplinary proceedings that meet the Act's requirements.

As my hon. Friend observed, when investigating complaints against SROs, the SIB does not act as an appellate body. There is ample provision for appeal against the rights and wrongs of a disciplinary decision within the SRO's procedures. The SIB does not review the merits of a decision reached by an SRO, but it is concerned to ensure that the SRO's disciplinary processes and procedures are fair and equitable.

I understand that, his firm having resigned from the AFBD, Mr. O'Byrne complained to the SIB about the AFBD's handling of his case on 30 September 1991. As a result, staff in the SIB's then capital markets division and complaints unit made extensive inquiries into the points raised by Mr. O'Byrne. The inquiries included discussions with both AFBD staff and Mr. O'Byrne as well as scrutiny of the papers held by the AFBD. Having considered all that material, the SIB concluded that the AFBD had properly and fairly followed its disciplinary procedures. It found no reason to think that those procedures were unsatisfactory. It is difficult to see what more an appellate body on procedures could have done.

If a complainant is not satisfied with the SIB's handling of the complaint against an SRO, it remains open to the complainant to make a complaint against the SIB itself. Complaints against the SIB are handled at an appropriate senior level and independently of the members of staff involved in the original complaint. Such complaints receive replies from the SIB's chief executive and, where appropriate, they may even be put to the board. A non-executive board member is involved in auditing the handling of such complaints.

My hon. Friend asked whether those SIB complaints arrangements were satisfactory and whether we should review the workings of the self-regulatory bodies. Of course we keep those matters constantly under review and I will reflect carefully on what my hon. Friend said. It is a requirement of the Financial Services Act that the SIB has effective arrangements for complaints. My hon. Friend may be aware that the chairman of the SIB, Andrew Large, had conducted a review of how the SIB carries out its responsibilities. In May 1993, having taken a thorough and critical look at the operation of the Financial Services Act's regulatory structure, Andrew Large made a number of important recommendations, which the Treasury accepted without reservation.

Much of Andrew Large's report was devoted to a fresh approach to supervision and enforcement, which should result in a step change in the level of protection offered to investors, and to more rigorous assessment and monitoring of the SROs by the SIB. Those are important issues which both my hon. Friends have raised tonight. I assure them that we try to ensure that, under the current regulatory structure, imperfect as it may sometimes seem, we take seriously the complaints and observations that are made and we try to make the system work effectively.

Andrew Large is also committed to promoting greater openness about the recognised bodies' activities. One element of that is expected to be the consolidation of the SIB's arrangements for independent review of its handling of complaints of various kinds. The SIB is currently discussing proposals to put in place a complaints commissioner. That person will have responsibility for auditing the SIB's handling of complaints about itself and its handling of complaints that it receives about SROs and other recognised bodies.

Mrs. Gillan: Does not the very fact that the Large review was so overwhelmingly immediately and readily accepted evidence that there were flaws in the procedures and the way in which the SIB conducted its business previously? Does not that indicate that there is a possibility that my constituent had fallen foul of what is obviously a less transparent procedure than we would all wish there to be in the operation of the SIB?

Mr. Nelson: I am afraid that I do not accept either of my hon. Friend's contentions, although I understand where she is coming from on that.

With regard to the first contention, I think that my hon. Friend must remember that the driving force for Andrew Large's review was very much the Maxwell shake-out. Andrew Large was asked to conduct his review as a result of imperfections that the Investment Management Regulatory Organisation considered in a report. The regulatory process is an evolving process and one learns from experience. Under the law, that is an important evolution. There is always room for improvement. I think that what Andrew Large proposes to do and is currently implementing will bring about that step change.

Yes, it is true, in terms of investor protection, that the Government were not satisfied and Andrew Large was not satisfied with the extent to which the working of the legislation provided such protection in the past. There were too many instances—from home income plans and the Maxwell case to many other situations and, most recently, personal pension opt-outs and transfers—of serious incidents affecting all our constituents and their savings and investments. The challenge must therefore be, and has been, to use the existing structures and powers of the law significantly to improve investor—and depositor on the banking side—protection. That was what Andrew Large was about. However, I do not accept, having considered as

[Mr. Nelson]

carefully as I can the case raised by my hon. Friend, that he has fallen foul of shortcomings in the previous operation of the law.

It seems to me, having examined the process of appeal, the process of consideration and the outcome by Mr. Blair, that the case has been examined thoroughly, not once or twice, but thrice or more by relevant bodies and appellate bodies and they have confirmed each other's judgment. They have done so, not as a group acting in concert, but as separate bodies and with degrees of independence that we should all respect.

As I was saying, if I may continue with the detail on which I was embarked, the SIB also proposes to assign an individual complaints officer to handle all SRO complaints, to ensure continuity and clarity in the handling of complaints. I am sure that my hon. Friend will join me in welcoming those changes because they are very much what she was asking for at the end of her eloquent address.

In the case of Mr. O'Byrne's complaint against the SIB, the SIB's general counsel, Michael Blair, investigated the complaint. Mr. Blair is a very senior member of staff, not previously involved in the case. He concluded that, although the SIB's staff could perhaps have explained their findings to Mr. O'Byrne in greater detail, there was nothing more that they could usefully have done to investigate his complaints. The matter was also reviewed by a non-executive member of the SIB's board, who decided that the SIB had properly dealt with Mr. O'Byrne's complaints against the SIB.

I have outlined the disciplinary, appeals and complaints procedures that are in place under the Financial Services Act. I do not think that there can be any doubt that the Act makes ample provision for ensuring that disciplinary cases against member firms are conducted fairly, and that complaints about the handling of cases are addressed properly. There is provision for appeals against the disciplinary and membership decisions of the self-regulating organisations.

I am satisfied that the SIB has adequate arrangements for the handling of complaints against SROs. Following a recommendation in the Large review, the SIB is, however, discussing changes to its complaints arrangements. Those changes will bring greater clarity to the SIB's handling of complaints. The SIB is satisfied that the disciplinary processes and practices employed by the AFBD in the Lansdowne case were fair and equitable.

I am afraid, therefore, that I cannot agree with my hon. Friend that there is a blind spot in the regulatory system or that there is a need for a further appellate body to examine matters of procedure. There comes a point, with all cases, when, however aggrieved a party may be and, indeed, whatever the justice of his particular cause, procedures are used up. The opportunity to go over the same ground again diminishes and the useful purpose of inquiring further and further into the same complaint comes to an end. Ministers and hon. Members in this House—very much the last court of appeal—are reluctant to do that; we always give our constituents the benefit of their case. However, there comes a point, and this is one, where although Mr. O'Byrne continues to feel aggrieved, a number of separate, independent, appellate bodies have considered his case thoroughly and carefully and he has had a fair and thorough hearing. Therefore, much as I sympathise with him, I cannot agree that any further action can or needs to be taken.

The SIB has done all that it can to deal with Mr. O'Byrne's concerns. Indeed, my hon. Friend has done even more, not just in pursuing his case prior to tonight but in bringing it to the ultimate authority of the high court of Parliament. I hope that my remarks offer my hon. Friend some reassurance that the Financial Services Act procedures were applied properly and fairly in Mr. O'Byrne's case as well as in the many other cases that we must consider.

Question put and agreed to.

Adjourned accordingly at fifteen minutes past Ten o'clock.

House of Commons

Wednesday 15 June 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Bosnia

1. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking in conjunction with the Bosnian authorities to ensure that all those involved in the murder of Paul Goodall are brought to justice.

The Minister of State, Foreign and Commonwealth Office (Mr. Douglas Hogg): The killing was a dreadful act and a tragedy for Mr. Goodall and his family and I would like to say again how very sorry I am for all those who have suffered from the loss. We continue to press the Bosnian Government to conclude without delay their investigation into the murder. Our chargé d'affaires in Sarajevo has raised the matter with the Justice Minister and the Deputy Interior Minister as well as with the judicial authorities in Zenica who will be responsible for any legal action.

Mr. Prentice: I thank the Minister for that reply, but does not he appreciate people's real concern that not enough is being done to pursue the matter with urgency? Will he confirm that, for two months following the murder of Mr. Goodall, there was little or no contact between the Overseas Development Administration and the Bosnian authorities? Will he ask the Minister to press the Bosnian authorities to release a report on the progress of the investigation into the circumstances surrounding the escape from custody of Mr. Abdul Algatani, who is one of the alleged assassins of Paul Goodall?

Mr. Hogg: The Government have, indeed, been pressing the Bosnian authorities to conclude their investigations. It is highly desirable that we should know more about the circumstances in which Mr. Algatani escaped. It is important to keep in mind the fact that, in many respects, Bosnia is in a state of anarchy, and that stands in the way of the usual prosecution of such matters. We will, however, continue to press the Bosnian authorities.

EU Budget

2. **Mr. Evennett:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made to prevent fraud within the European Union budget; and if he will make a statement.

The Minister of State, Foreign and Commonwealth Office (Mr. David Heathcoat-Amory): My right hon. and learned Friend the Home Secretary has announced a joint action proposal, under title VI of the treaty on European Union, to combat serious fraud against the Community budget. The European Commission has also recently tabled an anti-fraud strategy, which is under consideration by the Council.

Mr. Evennett: I thank my hon. Friend for his reply. Does he agree that the level of fraud and waste of taxpayers' money in the European Union is unacceptably high? Does the Maastricht treaty allow any additional powers to help combat such abuse and misuse of public funds?

Mr. Heathcoat-Amory: I agree with my hon. Friend. Fraud is still far too prevalent in the European Community and we are determined to do something further about it. The answer to my hon. Friend's question is yes: the Maastricht treaty gives additional and important powers to the European Court of Auditors and an assurance that its observations and recommendations will be acted on. In addition, the European Parliament can interest itself further in this issue, and I very much hope that it does.

Mr. Campbell-Savours: Can there be any justification at all for the Commission's failing to publish the report which it has on fraud in member states?

Mr. Heathcoat-Amory: We believe that such documents should be published if their publication would enhance the action that we and the Commission together are taking against fraud.

Sir Peter Hordern: I welcome the additional powers given to the European Parliament to question the Commissioners about fraud, but, in view of the extensive fraud that has proceeded for so many years, is not it necessary to make it a condition that grants from the European Commission are not given to member countries until all cases of fraud have been cleared up?

Mr. Heathcoat-Amory: My right hon. Friend makes an important suggestion and he will be pleased to know that, at our insistence, the new regulations governing the structural and cohesion funds now insist on proper prior appraisal of projects, a value-for-money test and subsequent scrutiny to ensure that the money has been properly applied.

Ms Quin: Is not it the case that, in the Council of Ministers last year, the Government tried to argue against increased expenditure in respect of fraud, and that, in doing so, were at odds with their own MEPs, who voted in the European Parliament for the package of further measures against fraud? Does not that show once again that the Government are frequently at odds with their own MEPs in Strasbourg? The Government are presumably absolutely delighted at Labour's sweeping victory last week because they now have fewer of their own MEPs to disagree with.

Mr. Heathcoat-Amory: An increased number of Labour MEPs is extremely bad news for the cause of budgetary discipline in the European Union. However, I can assure the hon. Lady that the Government give the very highest priority to cracking down on fraud in the Community. We are satisfied that the anti-fraud unit, both in the Commission and in this country, is properly and adequately staffed. But such problems are not dealt with simply by throwing more money at them. Budgetary discipline must apply to the strategy against fraud as it does to every other area of expenditure.

Dame Elaine Kellett-Bowman: Does my hon. Friend agree that it is a very good thing that, in future, recalcitrant Governments—and it is in such Governments and not within the Community itself that most of the fraud takes place—will be fined in addition to having to return the money? Does he agree that that will have a salutary effect, particularly on the Italians who have already had to cough up quite a lot of money? In response to my hon. Friend's European Parliament observation, as he well knows, the European Parliament keeps a very close watch on such matters through the Committee on Budgetary Control which saves the Community hundreds of millions of ecu.

Mr. Heathcoat-Amory: My hon. Friend makes the important point that the Maastricht treaty brings in fines against member states that fail to live up to legislative obligations.

Rwanda

3. **Ms Glenda Jackson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action the British Government intend to take in respect of the situation in Rwanda.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): We are joining fully in international efforts to bring a halt to the bloodshed. On 8 June, the Security Council approved the deployment of an expanded United Nations force. We are keen and ready to provide logistic support and we are looking with the UN at ways in which we can contribute. Since the start of the crises in Rwanda, we have given over £11 million in humanitarian aid.

Ms Jackson: I thank the Minister for that reply. Does not he agree that, in the light of the news that reached us early today of another fearful massacre—this time of 60 young boys—and of a letter that was pushed into a journalist's hand by the citizens of Kigali who are begging for help because they believe that they will be slaughtered at any minute, the Government should be bringing pressure to bear to ensure that the 5,500 troops are deployed immediately and not phased in in that war-torn country?

Mr. Hurd: The sooner the better, I agree. However, those troops must be equipped and transported. Ghana, Senegal, Ethiopia, Zimbabwe, Nigeria, Congo and Mali are all African countries which have offered troops. The secretariat is seeking to match the equipment and transport with the troops. As I said in my original answer, we are in close touch with it about what help we can give, for example, by providing trucks.

Mr. Lester: Has my right hon. Friend had a chance to consider the Secretary-General's observations on the state of the United Nations in respect of Uganda, in which he admitted that the international community had failed in its responsibility and used words such as "deplorable", at least to describe its reaction? What thoughts do the Government have in respect of trying to adjust the United Nations so that it can deal with such situations, which are becoming all too prevalent?

Mr. Hurd: My hon. Friend said "Uganda", but I think he meant Rwanda. The UN had a force there. The Security Council concluded at a certain point that the force was at severe risk and that it was no longer doing a useful job. It was therefore reduced in size. There were second thoughts and it was decided, as the hon. Member for Hampstead and Highgate (Ms Jackson) pointed out, to redeploy an increased force. That is now happening. These are matters of extraordinarily difficult judgment in a civil war. It is not easy for the Security Council or the Secretary-General to decide how and when to intervene. We fully support resolution 925, which provides for the force of 5,500, and we will do our best to see that it happens.

Dr. John Cunningham: Is not the response of the United Nations in the face of this horrendous tragedy deplorably slow? Why was a resolution agreed to authorise a force but not one to deploy it? Why did it take several more weeks to agree to the deployment of the force? Why has that force still not been fully deployed? Tragically, the momentum of the slaughter continues while the laggardly pace of the international response is dismaying communities all over the world.

Mr. Hurd: The Security Council decides that a force should be sent. The Secretary-General then has to find member countries that are willing to contribute troops; then he has to find the equipment and transport to get them there. Of course, that should happen more quickly; it depends on the response of nation states, and it always will.

Italy

4. **Mr. Streeter:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with Italy.

Mr. Hurd: They are excellent.

Mr. Streeter: I thank my right hon. Friend for his extensive reply. Does he agree that the newly elected right-wing Government in Italy show every sign of being a strong new ally to our country in our crusade to fashion a European Union in accordance with the wishes of its people—not a single superstate but a family of independent sovereign nations trading and working together?

Mr. Hurd: It is early days, but my hon. Friend is right. The new Italian Government have made clear their strong commitment to open markets and their desire to avoid unnecessary regulation from Brussels. I warmly welcome that approach. I look forward to welcoming the Italian Foreign Minister here before the end of the month and to working closely with him.

Mr. Winnick: Why does not the Foreign Secretary understand that what happened recently in Italy makes a mockery of all the efforts by the allied troops to liberate Rome 50 years ago this month? Instead of appeasing those fascists, why does not the Foreign Secretary say that many people in this country—the large majority—view with disgust the fact that such fascist swine are now included in the Italian Cabinet?

Mr. Hurd: The hon. Gentleman is indulging in patronising and offensive nonsense. The Ministers have been democratically elected and properly appointed. [HON. MEMBERS: "So was Hitler."] The Labour party is making a fool of itself. I shall be interested to know whether Labour Members' attitude is endorsed by those on their Front Bench. Having looked at the individuals, the programme on which they were elected and the posts that they occupy, we believe that it is right to co-operate in a friendly way with the new Italian Government—the new democratic Italian Government—as with the last. I am ashamed of the intervention from the Opposition Benches.

Mr. Batiste: Has my right hon. Friend had the opportunity to discuss with his opposite number in Italy their choice for the next President of the European Commission?

Mr. Hurd: Only in very general terms.

Dr. John Cunningham: As the right hon. Gentleman has asked for my response, he shall have it. We want nothing to do with neo-fascists, whether they are in Italy or whether they are the neo-fascists of France who were the only supporters of the right hon. Gentleman's opposition to the social chapter. I hope that he feels comfortable in the company of neo-fascists; we certainly do not. Will he tell the House whether it is his intention to share membership of the European People's party with neo-fascists—yes or no?

Mr. Hurd: That is certainly not a matter for me. On the first point, before the right hon. Gentleman goes any further down the foolish path adopted by his Back Benchers, will he please look at the members and the programme of the Allianza Nazionale, which is now part of the Italian Government? Will he look at what they stand for and how they were elected? If he does that, he will find that it is very foolish to go further down the path that I have already described as patronising nonsense.

Treaty Ratification

5. **Mr. Trimble:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to change the procedures related to the ratification of treaties.

Mr. Heathcoat-Amory: We have no plans to change our procedures for ratifying treaties to which we are signatories.

Mr. Trimble: I am sure that the Minister will agree that it is no longer realistic to regard the other member states of the European Union as foreign countries and that, as a consequence, it is no longer realistic to regard agreements entered into—such as any that might arise out of the intergovernmental conference in 1996—as foreign treaties with which the House need take little concern. Would it not therefore be sensible, well in advance of 1996, to amend our procedures for the ratification of fundamental agreements with other member states so that they can be thoroughly discussed in the House before, during and after any such conference? That would ensure that the House is not asked again to deal with fundamental constitutional matters on a take-it-or-leave-it basis and forced to act as a rubber stamp.

Mr. Heathcoat-Amory: I do not think that I accept the hon. Gentleman's reasoning. Any future treaty of similar importance to the Maastricht treaty will be brought before the House before the country ratifies it.

Mr. Marlow: Given that a single currency would mean taxation decided centrally and a unified single European state, can my hon. Friend ensure that if any such treaty were brought forward on the basis of a single currency, the ratification process would be such that that treaty could not be ratified in the United Kingdom? Even better, could he make sure that there is no ambiguity in the minds of the British people after the election results last week? They do not want a single currency and the Government should not want a single currency.

Mr. Heathcoat-Amory: The Government's position is clearly set out in the Maastricht treaty and its protocols. My hon. Friend should have been pleased, and I believe is satisfied, with the opt-out from the requirements of stage 3 achieved by my right hon. Friend the Prime Minister.

Mr. Foulkes: Is not it true that the Maastricht treaty, which the Government forced through on a three-line whip, and the Single European Act, which they forced through on a three-line whip and a guillotine, are the two most centralising treaties since the treaty of Rome, and that for the Government to pretend that they are not in favour of centralisation within the European Union is hypocrisy which brings this parliamentary democracy into disrepute?

Mr. Heathcoat-Amory: No. The centralising tendency in the European Union, although supported by the Opposition parties, was checked in the Maastricht treaty which, for example, enshrined the subsidiarity principle in treaty law for the first time.

South Africa

6. **Mr. Spring:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with South Africa.

Mr. Hurd: We will continue to give full support to President Mandela and his transitional Government of National Unity as they consolidate a stable democracy in South Africa. We should develop and expand our political, economic and commercial relations with South Africa to the benefit of both countries.

Mr. Spring: Given the considerable opening up of opportunities following the cessation of sanctions against South Africa, can my right hon. Friend assure the House that all help and encouragement will be given to British exporters to access that growing and important market in order to capitalise on the excellent relations that exist between the United Kingdom and South Africa?

Mr. Hurd: Yes, indeed. Our exports to South Africa were £1 billion last year and £295 million in the first quarter of this year: it is still an expanding trend. We warmly encourage that. My right hon. Friend the President of the Board of Trade will go to South Africa next month with a large party of senior business men to urge that expansion forward.

Sir David Steel: Does the Foreign Secretary agree that, following the formation of the new Government in South Africa, we should look forward not only to their full participation in the Commonwealth but to their playing a leading role in the South Africa Development Co-ordination Conference, where they will be joined by the new democratically elected Government of Malawi whose

President will be visiting London for the first time tomorrow? Is not southern Africa, in contrast to some other parts of the continent, becoming a new region of hope?

Mr. Hurd: I agree with the right hon. Gentleman. There is a long way to go in countries such as Angola and Mozambique, but we certainly warmly welcome the return of South Africa to the Commonwealth on the first day of this month.

Dr. Howells: Is the Foreign Secretary aware that during his recent visit to this country, Vice-President de Klerk expressed concern that South Africa should not now be treated as a former trouble spot but should be left well alone to get on and solve its problems? The economic future of South Africa will be tied up with those of half a dozen nations to the north of it and South Africa requires the maximum amount of help from the United Kingdom and the European Union. Will the Foreign Secretary ensure that the European Union is made aware of the importance of helping South Africa to sort out its economy and the economies of the countries that lie to the north of it?

Mr. Hurd: Yes, indeed. We and the forthcoming German presidency have already laid plans for that. The Germans are to take various initiatives on behalf of the European Union during the second half of this year. I agree with the hon. Gentleman—one of the most important ways is trade and I look forward to the initiatives very much. We have been urging a new agreement between the European Union and South Africa to facilitate trade.

Sir Jim Spicer: My right hon. Friend has already said that one of the major problems about deploying troops in Rwanda is the lack of logistical support. Would not it be appropriate for South Africa to be approached, as a country which will be coming back into the Commonwealth in the very near future, and asked to provide that logistical support, which it could do far more easily than almost any other country in the world?

Mr. Hurd: I am happy to say that South Africa is already back in the Commonwealth. My hon. Friend made an important suggestion and I will see that the Secretary-General of the United Nations considers whether there are requests that he could make to South Africa that he has not already made. We are helping the South Africans in one of their main tasks, which is bringing the different armed forces in the country together into a more united national army. A British military assistance and training team, made up of 31 people with a brigadier, is established there for that purpose.

Rwanda

7. **Mr. Hanson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Rwanda.

11. **Mr. Burns:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current situation in Rwanda.

15. **Mr. Cohen:** To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution Her Majesty's Government are making to end the killing in Rwanda.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): As my right hon. Friend the Foreign Secretary said a few moments ago, we are playing a full part in efforts to bring about a settlement in Rwanda and are providing substantial amounts of relief for the large number of refugees displaced by the fighting.

Mr. Hanson: In supporting the sentiments of my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), may I ask what actions the Government are taking with regard to food and emergency equipment for the 1 million-plus refugees resident on the Tanzania-Rwanda border? That situation cannot be tolerated and all help must be given by the Government.

Mr. Lennox-Boyd: My right hon. Friend mentioned that bilateral aid of £11 million has been paid since the start of the crisis. It is helping mainly with refugees and with the collection and burial of bodies, including those in Lake Victoria. An Overseas Development Administration team recently visited the region to assess the situation at first hand and will return there in early July.

Mr. Burns: Does my hon. Friend agree that this country is sickened by the grotesque slaughter of men, women and children in Rwanda and that it must end as soon as possible? Will he also confirm that Britain is the fourth largest contributor to United Nations peacekeeping forces throughout the world and that the Government will use their influence within the UN and the international community to do all that they can to bring an end to the ghastly slaughter as quickly as possible?

Mr. Lennox-Boyd: Everyone must agree with my hon. Friend's words. I confirm that we are the fourth largest contributor to UN peacekeeping operations. We cannot be accused of default on that ground. All along, we have been very active in calling for effective and swift United Nations action in Rwanda.

Mr. Cohen: Did not the Government make a mistake in April when they effectively voted in the UN Security Council for UN disengagement from Rwanda, reducing troops there to just 270? Should not they have been pressing then—as they should now—for the establishment of safe areas in that country and for the forces to secure them?

Mr. Lennox-Boyd: As the hon. Gentleman will be aware, the Secretary-General submitted his report on 2 June following those Security Council decisions in April, and on 8 June there was a further vote to adopt resolution 925 and endorse the arrangements for the deployment of the expanded United Nations Aid Mission in Rwanda—UNAMIR—which is the situation that we now face.

Mr. Jessel: Is my hon. Friend willing to comment on the world's attitude to the colossal number of murders and missing persons in Rwanda? Let us suppose that 500,000 black people had been murdered by white people or vice versa—the world would rightly have been in uproar. But if 500,000 black people are killed by other black people the world seems to regard it as not quite so important.

Mr. Lennox-Boyd: My hon. Friend has expressed his opinion, and we are doing everything that we can in our way to bring about a change in the dreadful events. As my right hon. Friend the Foreign Secretary said, seven African countries are contributing troops and five countries—including ourselves—are prepared to help with logistical support for those troops.

Mr. Clapham: Is the Minister aware that, in opening the meeting of the Organisation of African Unity, President Mandela said that the Rwandan situation was a stern rebuke for us all and that it reflected on a crisis of leadership? Does he agree that that reproof goes far beyond the African continent to those countries in Europe which have encouraged the Rwandan regime to spend money on arms, rather than to develop services for its people so that there would be some harmonisation in the country? Will he urge the UN to ensure that there is a tighter formulation to govern the behaviour of those countries which export arms, so that we might be able to prevent future Rwandas?

Mr. Lennox-Boyd: I cannot agree with the hon. Gentleman that a crisis of leadership in Britain is responsible for the situation in Rwanda. He is suggesting somehow that the British Government are responsible. We are doing what we can, as my right hon. Friend and I have explained in the most careful terms, to bring about a change in the dreadful situation.

Mr. Anthony Coombs: Given the fact that the appalling atrocities in Rwanda are exacerbated and made possible by the large amount of arms that are available —it is estimated that sub-Saharan Africa is importing in the region of $7 billion worth of arms every year—is not there a strong case for making any aid to those countries dependent upon their military spending and the proportion that it takes of their GNP?

Mr. Lennox-Boyd: My hon. Friend and the hon. Member for Barnsley, West and Penistone (Mr. Clapham) should be aware that the appalling slaughter about which we have read in Rwanda is not the result of arms sales by western or other countries. The crudest weapons, which would be available in any agricultural society, are being horrifically used in the terrible slaughter.

European Union

8. **Mr. Barry Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's relations with other members of the European Union.

Mr. Heathcoat-Amory: We enjoy excellent relations with other members of the European Union.

Mr. Jones: Is not it clear that the Government's vacillation on policy on the European Union was decisively rejected by the British people in last week's elections? Has not the Foreign Secretary ducked out of the question because his party had one of the biggest political drubbings of modern times?

Mr. Heathcoat-Amory: The Labour party was desperate to try to keep the elections focused on every issue except Europe. The Government are certain that, when we engaged the electorate on the European issues, we had the right policies which struck the right notes.

Mr. Waterson: Does my hon. Friend agree that in the recent European elections, there was a significant move against the kind of socialism and centralism supported by the Opposition in those countries where the electorate seemed to have focused on the European issues?

Mr. Heathcoat-Amory: My hon. Friend is right. It is noticeable that the other Opposition party with a centralising manifesto and a willingness to abandon the national veto—the Liberal Democratic party—failed conspicuously to live up to its expectations.

Mr. Hoon: Does the Minister remember the Foreign Secretary describing the idea of a two-speed Europe as a disaster? If so, how does he reconcile that with the Prime Minister's call for a multi-speed Europe? Surely a multi-speed Europe must involve at least two speeds?

Mr. Heathcoat-Amory: There are two speeds in Europe—we are in the fast lane and the Opposition parties are in the slow lane.

Mr. Forman: What are the Government's relations with France and Germany? Are they good or improving? Do the Government intend to work closely with those two Governments in the next year or so, since they will be in the chair of the European Union?

Mr. Heathcoat-Amory: We have extremely good relations with both countries. We had a succesful summit with the French Government last year, and a recent one with German Ministers in London. As my hon. Friend reminded us, the French and German presidencies of European Union are coming up and we intend to work closely with both countries on a wide range of issues.

Mr. Benn: Will the many policy statements made by the Prime Minister during the European elections be formally tabled by the British Government at the Council of Ministers and at heads of state meetings that will occur during the next few months?

Mr. Heathcoat-Amory: All the policy pronouncements by my right hon. Friend the Prime Minister represent a known British position and will, of course, be discussed with other member states during the coming months.

Japan

9. **Mr. Hayes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what his Department is doing to attract more inward investment from Japan.

The Minister of State, Foreign and Commonwealth Office (Mr. Alastair Goodlad): Attraction of more inward investment is a high priority for our embassy in Tokyo and consulate-general in Osaka, which work closely with the Invest in Britain Bureau of the Department of Trade and Industry and with regional agencies. We shall soon open a new office in Nagoya for inward investment and trade promotion.

Mr. Hayes: Will my right hon. Friend join me in welcoming the new massive investment from Honda in the United Kingdom? Does he agree that it is yet another tribute to the success of our missions abroad?

Mr. Goodlad: My hon. Friend is absolutely right. I greatly welcome Honda's announcement of a further investment of £330 million in the United Kingdom, which confirms its continuing commitment to this country as a base for its car-making operations in Europe. The

Government will continue to work with the company to ensure the success of its United Kingdom operations and its many British suppliers.

Mr. Enright: Can the Minister name a single Japanese firm that does not fulfil the social contract? In fact, is not the contrary true? All Japanese firms fulfil and more the social contract and, indeed, the majority look for monetary union.

Mr. Goodlad: There are 200 Japanese manufacturing companies in this country covering a wide range of industries from electronics to consumables. Their working practices vary, as do British ones. We have made it clear that the social contract, which provides greatly increased legislative powers for the European Community in employment and social policies, would lead to damaging European Community laws being imposed in the United Kingdom. They would add to costs, cut competitiveness, destroy jobs and deprive United Kingdom employers and employees of their rights to decide the employment conditions that firms can afford. It is because this country is extremely competitive, whereas European competitiveness is declining in the world, that we have more than 41 per cent. of Japanese investment in the European Community.

Mr. Nicholas Winterton: While very much appreciating the tremendous importance of Japanese investment in this country, may I ask my right hon. Friend to accept that the Government should spend as much time seeking investment from other countries, because to do so provides us with opportunities to do business with those countries? Inward investment from Japan is important, but other countries should not be ignored, as they provide us with equal if not better opportunities.

Mr. Goodlad: My hon. Friend is correct— that is precisely what the Government do. In 1992-93, at least 303 inward investment decisions were made by foreign companies, which created or safeguarded more than 56,000 jobs. Since 1979, more than half a million jobs have been created by overseas companies. In 1991, overseas companies provided 17 per cent. of all manufacturing jobs in the United Kingdom.

Mr. Rogers: Hon. Members on both sides of the House applaud and support the efforts of the Government to obtain inward investment, especially for the north-east and for south Wales, where the Labour-established Welsh Development Agency has been extremely successful. Does the Minister believe that the same number of inward investments, 303, would be made in a semi-detached Britain—a Britain condemned to Europe's slow lane?

Mr. Goodlad: Britain is the preferred location for Japanese investment because we provide excellent access to the European Community market. Companies consistently refer to the welcome that they receive from the Government. The Japanese choice of the United Kingdom shows that the Government have created the right framework for companies to invest and prosper, in comparison with the position in other European countries and in comparison with the position that would prevail in the highly unlikely event of the Labour party ever gaining the reins of power.

Former Yugoslavia

12. **Mr. Martlew:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policies towards the former Yugoslavia.

Mr. Douglas Hogg: Our aim is to secure an early settlement of the conflict in former Yugoslavia. We welcome the one-month ceasefire now in force in Bosnia. That must be extended. We support the work of the contact group. We continue to contribute to the humanitarian aid effort and to the international military presence in Bosnia.

Mr. Martlew: Will the Minister today publicly condemn the Greek Government for their continuing blockade of Macedonia? What effort has he made to ensure that the Greeks back down on that matter, which is crucial for the Macedonians?

Mr. Hogg: I am very concerned by the dispute between Macedonia and Greece. I agree that the embargo is wrong. I welcome the fact that the European Court is considering the embargo now. The Vance suggestions, which have been worked out in New York, deserve serious consideration by both parties.

Cuba

13. **Mr. McAllion:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last held discussions with representatives of the Cuban Government relating to common security issues in central and Latin America.

Mr. Heathcoat-Amory: I have had no such discussions.

Mr. McAllion: Does the Minister accept that the basis of common security between nations is mutual respect for, and recognition of, each other's national sovereignty? If so, why did the Government disgracefully abstain on the resolution passed by the United Nations General Assembly, which would have ended America's illegal contravention of Cuba's national sovereignty—its economic blockade of Cuba? Why do the United Kingdom Government preach respect for international law, but, on the international stage, remain silent when international law is brazenly broken by their patrons in Washington?

Mr. Heathcoat-Amory: The blockade is a bilateral matter between the Governments of Cuba and the United States. For our part, we operate no such embargo and have full diplomatic relations with Cuba.

Mr. Bill Walker: Does my hon. Friend find it difficult to answer questions from the Opposition about Cuba when they follow questions which revealed the Opposition's attitude towards the democratically elected Government of Italy, a member of the European Union? Although I have views on that matter, I accept that that Government were democratically elected. Is not it difficult to answer people who ask questions in such conflicting ways?

Mr. Heathcoat-Amory: It is obvious that the Opposition are operating a double standard. They are happy to recognise and have relations with non-elected Ministers in Cuba, which is the point of my hon. Friend's question, yet we have just heard from Opposition Front-Bench spokesmen that they would refuse to meet or recognise five elected and duly appointed Ministers of the new Italian Government. They would therefore be willing to overlook, ignore and show contempt for the democratically elected Government of modern Italy.

Mr. Ernie Ross: Has the Minister had a chance to read the report, published in May this year, of the Caribbean Trade Advisory Group, which advises the Foreign Office? It calls for a joint effort by Britain and Germany to reach an agreement on co-operation between the European Union and Cuba, so that the transition taking place in Cuba can proceed in a way that will bring stability to that area and trade to this country.

Mr. Heathcoat-Amory: The hon. Gentleman may know that the Caribbean Trade Advisory Group visited Cuba last year and again last month. The object of those visits was to improve bilateral trade between our two countries. That is of more immediate importance than the longer-term, structural relationship between the EU and Cuba, although that may be developing on a parallel track.

Mr. Jacques Arnold: Is not it the case that in central America and the Caribbean area security tensions have been considerably reduced since the central American republics, in contrast to Cuba, returned to democracy and since, following the defeat of the Sandinista regime, Nicaragua reduced its armed forces? Should not we be more concerned with introducing democracy and human rights into Cuba?

Mr. Heathcoat-Amory: I agree. All Latin American countries now have civilian Governments, with the exception of Cuba. We look forward to an improvement in the human rights record of Cuba and we constantly urge her to allow free and fair elections.

Mr. Corbyn: Does the Minister accept that the blockade of Cuba that has been carried on by the USA since 1959 is an appalling interference in one nation's affairs by another? Does he recognise that the lives of the people of Cuba have been severely damaged by it? Other Governments have managed to trade successfully and normally with Cuba. Why will not he put pressure on the United States to lift the blockade and recognise Cuban Governments once and for all?

Mr. Heathcoat-Amory: I have already said in answer to another question that that is a matter between the Cuban and the American Government, but, to repeat the point, we have developing trade relations with Cuba as well as normal diplomatic relations.

Italy

14. **Mr. Patrick Thompson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has met members of the new Italian Government to discuss recent developments in the European Union.

Mr. Heathcoat-Amory: My right hon. Friend the Foreign Secretary met the new Italian Foreign Minister at the Foreign Affairs Council in Brussels on 16 and 17 May 1994.

Mr. Thompson: Does my hon. Friend agree that it is vital that there are good links between the European Union and the emerging eastern European countries? In his recent discussions with the new Italian Government, has he had a chance to discuss joint projects to further the support and links between the European Union and eastern Europe?

Mr. Heathcoat-Amory: My right hon. Friend had a successful and constructive meeting with Signor Martino, the new Italian Foreign Minister, and it was agreed to carry forward a joint initiative to develop foreign policy and justice and home affairs relations between the European Union and the newly emergent democracies of central and eastern Europe.

Mr. Galloway: Is not it true that although Signor Fini and the MSI fascists in Italy were democratically elected, so were Signor Mussolini and Herr Hitler before them? Cannot the Government sense at least some unease in this country, as we celebrate the anniversaries currently, about the fact that British men left their bones in the soil of Europe to liberate this continent from fascism, yet fascism is back in the elected Government of Italy?

Mr. Heathcoat-Amory: The hon. Gentleman's record of support for non-elected dictators is not altogether an honourable one, but I can repeat the important point that those newly elected Italian Ministers have made quite clear their support and respect for the 1948 Italian constitution, which is fully democratic in all respects.

Mr. Dykes: Can my hon. Friend reassure the House that Signor Martino is extremely enthusiastic about the Maastricht treaty and the European Union?

Mr. Heathcoat-Amory: We are all enthusiastic about the Maastricht treaty and the European Union.

Mr. Janner: Did the Foreign Secretary raise with the Italian Foreign Secretary the concern, which I know is felt on both sides of the House, about the resurgence of neo-fascism in Italy? Did he discuss it at all with his opposite number and does he share the concern that so many of us feel about the growth of fascism and racism in so many parts of Europe?

Mr. Heathcoat-Amory: Of course, we would be concerned if there was a resurgence of fascism in Italy. It was precisely because we are assured about the democratic credentials and aims of the new Italian Government that my right hon. Friend the Foreign Secretary met the new Italian Government and agreed a programme of future developments with that Government.

Argentina

16. **Mr. Simon Coombs:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British relations with Argentina.

Mr. Hurd: We have made some good progress in many areas. There are regular high-level contacts. British exports to Argentina grew by 50 per cent. last year and there are good investment opportunities. We continue to disagree about sovereignty over the Falkland Islands, but we have an agreement on fisheries conservation and we expect to meet the Argentines next month to discuss oil. We also co-operate internationally; for example, British and Argentine troops are working side by side in UN peacekeeping operations, both in the former Yugoslavia and in Cyprus.

Mr. Coombs: May I tell my right hon. Friend of the great pleasure given to the Falkland islanders and to their many friends in this country and around the world by his visit to the islands earlier this year? Does he agree that as long as Argentina retains its claim of sovereignty over the islands, there will inevitably be a black cloud over our efforts to improve relations with it? What part of the Government's policy is it now to persuade the Argentine Government to drop that claim so as to guarantee the long-term safety and security of the Falklands?

Mr. Hurd: I thoroughly enjoyed my visit to the islands after Easter and I learned a lot from it and from the islanders. My hon. Friend is right: we have managed to make good progress on other matters with the Argentine Government, setting aside the disagreement over sovereignty, which remains.

My hon. Friend is perfectly right to say that, once it is possible for Argentina to drop her claim to sovereignty, the possibilities of co-operation in the south Atlantic, to the benefit of both countries and of the islanders, will be very great indeed.

Mr. Tony Banks: In the event of President Menem requesting the extradition of Baroness Thatcher to face various charges in Argentina, will the British Government give him their full co-operation? I suspect that if they did, it might do something to restore their flagging popularity.

Mr. Hurd: No such request has been made.

Mauritius

17. **Mr. Harry Greenway:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with Mauritius.

Mr. Lennox-Boyd: We enjoy a close and constructive relationship with Mauritius.

Mr. Greenway: I thank my hon. Friend for that fine reply. Does he accept that Britain is popular in Mauritius and that Mr. Jugnauth and his Government are very friendly towards this country because of their close educational links with it? If he agrees, how is he seeking to extend that principle?

Mr. Lennox-Boyd: The Mauritian Foreign Minister recently said that relations are entering a new period of understanding and co-operation, and he has seen my right hon. Friend the Foreign Secretary twice in the past year.

As for education, under an agreement called the Laureate scheme, we are providing nearly £3 million over a five year period to fund scholarships which enable 13 Mauritians to come to Britain as students.

China

18. **Mr. Davidson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the United Kingdom's relationship with the People's Republic of China.

Mr. Goodlad: We attach considerable importance to maintaining and building on our wide-ranging relationship with China. We have already achieved a number of successes: for instance, our exports to China in 1993 were 72 per cent. higher than in 1992. We continue to make representations to the People's Republic on human rights issues. A key aspect of the relationship is Hong Kong. Although we have not yet resolved our recent disagreement over the detailed constitutional arrangements for Hong Kong, our immediate priority is to develop a co-operative relationship in other areas, such as the work of the joint liaison group and the new airport in Hong Kong.

Mr. Davidson: Will the Government continue to press the Government of the People's Republic of China on the issue of human rights, not only in China but in the future Hong Kong? As the Government are no doubt aware, many in this country are worried that human rights in Hong Kong will be severely eroded once the colony is taken over by China. What assurances can he give us that that will not happen?

Mr. Goodlad: Human rights in China, including the situation in Tibet, are a matter of deep concern. They are on the agenda at every ministerial meeting and we and our European Union partners have repeatedly urged the Chinese authorities to adhere to internationally recognised standards of behaviour and to improve their human rights record.

The Hong Kong bill of rights gives local effect to the international covenant on civil and political rights, and the body of local human rights jurisprudence is steadily accumulating. The joint declaration of 1984 provides that the international covenant will continue to apply to Hong Kong after 1997. The joint declaration also guarantees the continuation of Hong Kong's existing legal system.

Sir Anthony Grant: Will my right hon. Friend enlighten us as to what line the Chinese Government are taking over the nuclear activities of North Korea? Does he agree that if any encouragement is given to North Korea to export nuclear arms or equipment to, say, the middle east, it could be very serious for the security of the world?

Mr. Goodlad: My hon. Friend raises a serious matter. We are in close touch with the Chinese in the Security Council. The Chinese are in favour of a denuclearised Korean peninsula, but say that the North Korean issue should be dealt with through negotiations. We believe that China has privately urged North Korea to act responsibly. It was associated with two statements by the president of the Security Council urging North Korea to co-operate with the International Atomic Energy Agency. Consultations are under way in New York on a possible sanctions resolution, after the flagrant breach by North Korea of the nuclear safeguards agreement and, of course, we hope for Chinese co-operation.

On the middle east, China is co-operating with both Pakistan and Iran on civil nuclear projects. We encourage China to behave responsibly and will continue to encourage it to join and abide by guidelines through the nuclear supplies group.

Mr. Gapes: In view of the position in Hong Kong, does the Minister support the proposals made by many people there, and by the Foreign Affairs Select Committee, for a human rights commission to be established so that human rights can be protected after 1997?

Mr. Goodlad: The Government are considering the report of the Select Committee very carefully and will respond in due course.

Sir Teddy Taylor: Is my right hon. Friend aware of the serious concern in China about the new restrictions introduced by the EC on imports of items such as toys and shoes? Although I congratulate Her Majesty's Government on having voted against the decision by the EC, does he agree that it is totally inconsistent with GATT and that it destroys jobs in China and many jobs in the United Kingdom as well?

Mr. Goodlad: My hon. Friend is right. The United Kingdom voted against the quotas package at the Foreign Affairs Council on 8 February, because we did not believe that the quotas introduced, particularly on toys, were justified. During the negotiations, we succeeded in getting some proposals for quotas withdrawn and other proposed quotas, including toys, increased, although not enough. We are pressing the Commission to show extra flexibility in the management of quotas, particularly to enable goods already contracted for before the February decision to be exempted from quota limits. We shall also seek an early review of quotas in the hope of securing increases or, better still, their abolition.

Middle East

19. **Mr. Burden:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received from consular officials in Jerusalem on the implementation of peace agreements in the west bank and Gaza.

Mr. Douglas Hogg: The reports are frequent, relevant and highly informative.

Mr. Burden: Does the Minister agree that unless the peace process in the middle east goes forward it could rapidly go into reverse? What plans do the Government have to increase the amount of practical assistance being given by Britain to the Palestine National Authority, other than in policing? Will he particularly consider assistance through secondments along the lines of the know-how fund?

Mr. Hogg: On the latter part of the question, the British Government's support, bilateral and multilateral, is around £70 million over the next three years. As to the first part of the hon. Gentleman's question, it is important that there should be early progress. I should like to see Mr. Arafat back in Jericho. It is very important that the Palestinians take control in the five sectoral areas covered by the September agreement. Perhaps most important, it is very urgent that the parties get down to the final stage of the negotiations as speedily as possible.

Mr. Cyril D. Townsend: Does my right hon. and learned Friend agree that the recent hijacking of a Lebanese citizen from Lebanese territory by the Israeli defence forces did nothing to help the peace process in that part of the world? Have suitable comments been passed to the Israeli Government? On reflection, does my right hon. and learned Friend agree that the timing of the announcement to lift the arms embargo on Israel was a little unfortunate?

Mr. Hogg: I do not seek to justify the Israelis' hijacking of the gentleman from Lebanon. Let me also say that that does not promote the release of Ron Arad, if he is alive. Nevertheless, his continued detention is a disgrace and he should be released by whoever is holding him.

Mr. Gunnell: The Minister will be aware that there seems to have been some hold-up in the provision of money for the Palestine National Authority. People are said to be concerned about accounting procedures. Does the Minister agree that this may prove to be a "Catch-22"? Without the money, the accounting procedures cannot be set up; without the accounting procedures, the authority cannot obtain the money. Is not it possible to engage in discussions with the United Nations Relief and Works Agency—in fact, I believe that Ministers have already done so—to ensure that proper accounting procedures can be set up, through UNRWA, to enable administrative help to go into Gaza and Jericho as rapidly as possible?

Mr. Hogg: The hon. Gentleman is right: there have been discussions, which took place on 8 June. As a result of those discussions, some $40 million of additional money has been pledged. However, the hon. Gentleman should not overlook the importance of proper accounting and disbursement procedures, without which the money might go astray.

Points of Order

3.30 pm

Mr. Bob Dunn (Dartford): On a point of order, Madam Speaker. Can you confirm whether you have received an application today for a private notice question on the rail dispute?

Madam Speaker: I do not confirm one way or the other whether I have received an application for a private notice question. The hon. Gentleman might care to rephrase his point of order; I shall do my best to be helpful.

Mr. Dunn: Can you confirm, Madam Speaker, that you are in a position to receive an application for a private notice question on the rail dispute? Today, the work and lives of many thousands of my constituents have been disrupted by the actions of a trade union, which all the contenders for the Labour party leadership have signally failed to condemn. *[Interruption.]*

Madam Speaker: Order. That is not a point of order. Private notice questions must come to my office before 12 o'clock, as I think the entire House is aware.

Mr. Bruce Grocott (The Wrekin): On a point of order, Madam Speaker. Would it be helpful for me to instruct the hon. Member for Dartford (Mr. Dunn) on procedure, as he clearly does not understand it? It is well in order for the Government to make a statement on any issue—

Madam Speaker: Order. I want no instruction on how I should behave in the Chair. I have just informed the House that private notice questions are looked at by me at 12 o'clock, and decisions are then made.

Mr. Anthony Coombs (Wyre Forest): On a point of order, Madam Speaker.

Madam Speaker: Is it related?

Mr. Coombs: No, Madam Speaker, it is an entirely different point of order. Given the craven attitude of Opposition Members to the rail unions that have caused such enormous—

Madam Speaker: Order.

Mr. Coombs *rose—*

Madam Speaker: Order. The hon. Gentleman will resume his seat immediately, or I shall name him. I am tired of listening to points of order that are not points of order, and of the way in which points of order are abused in the House.

Mr. Coombs *rose—*

Madam Speaker: Order. The hon. Gentleman will resume his seat. If he has a point of order for me to deal with which does not refer to the behaviour of other hon. Members, I will listen to it, but I will listen to it only if it concerns me as Speaker. The hon. Gentleman must now determine how he will behave following that warning.

Mr. Coombs: My point of order does relate to your duties as Speaker, Madam Speaker. I was going to ask whether the attitude of Opposition Members to the rail unions—which is not unrelated to the fact that many of them are sponsored by trade unions, and in particular by the rail unions—ought not, in the circumstances, be referred—*[Interruption.]*

Madam Speaker: Order. The hon. Gentleman is well aware that that is not a point of order for me. He has totally abused my faith in him. Now may we get on with the procedures of the House?

BALLOT FOR NOTICES OF MOTION

Members successful in the ballot were:

Mr. Andrew Mackinlay

Mr. Peter Thurnham

Mr. Quentin Davies

BILL PRESENTED

MARRIAGE

Mr. Gyles Brandreth, supported by Mrs. Angela Browning, Mr. Ian McCartney, Mr. Harry Cohen, Mr. Robert Jackson, Mrs. Angela Knight, Ms Liz Lynne, Mr. Rod Richards, Mr. Raymond S. Robertson and Mr. Keith Vaz, presented a Bill to amend the Marriage Act 1949 so as to enable civil marriages to be solemnised on premises approved for the purpose by local authorities and so as to provide for further cases in which marriages may be solemnised in registration districts in which neither party to the marriage resides; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon 24 June, and to be printed. [Bill 126.]

SCOTTISH ESTIMATES

Motion made, and Question put forthwith, pursuant to Standing Order No.96(Scottish Estimates).

That the Estimates set out hereunder be referred to the Scottish Grand Committee:

Class XIV	Vote 17	Education, Arts and Libraries, Scotland.
Class XIV	Vote 18	Student Awards, Scotland.

[Mr. Robert G. Hughes.]

Question agreed to.

Hereditary Peers (Democratic Rights)

3.35 pm

Mr. Bruce Grocott (The Wrekin): I beg to move,

> That leave be given to bring in a Bill to abolish the right of hereditary peers and peeresses to sit in the House of Lords; to establish their right to vote in general elections and to stand for election to the House of Commons; and for connected purposes.

In spending so much time, as the House does, on detailed, complex and intricate legislation, we sometimes miss the glaringly obvious. My Bill deals with the glaringly obvious — that in a democracy it is absurd that people should inherit the right to legislate.

My Bill does not attempt to deal with the overall question of the reform of the House of Lords or whether we need a second Chamber. It deals simply with hereditary members of the peerage.

The House of Lords has the most bizarre and indefensible composition of any parliamentary chamber in the world. At the last count, there were 1,203 Members of the Lords, 759 of whom inherited their title. Those 759 peers are there because they were born in the right bed at the right time.

I need hardly remind the House of the bizarre ways in which those 759 people came to obtain their titles— they are varied and colourful. The dukes are a prime example. Four of the dukes— of Buccleuch and Queensberry, of Grafton, of Richmond Lennox and Gordon and of Saint Albans— are descendants of the various mistresses of Charles II. One is by Lucy Walter, one by Barbara Villiers, one by Louise de Kérouaille and the other by Nell Gwynne.

I have nothing against Charles II's mistresses or their descendants, but I cannot for the life of me see why they should inherit the right to legislate.

If my Bill were passed, it would not make much difference to the lives of those people. When the figures were last checked, one of those dukes was on permanent leave of absence and the other three attended on just 32 occasions out of a possible 736 attendances. Of the 759 hereditary peers, no fewer than 70 per cent. attended fewer than 5 per cent. of sittings and 44 per cent.— 333 peers — did not attend the Lords at all.

We are frequently told by traditionalists that the hereditary peerage is just a quaint British custom and that it does no harm or damage, so why bother with it? Sadly, that is not true.

Neither can it be said that there is any received wisdom among those hereditary peers. One of the most important votes in the Lords in recent years was the poll tax vote on 23 May 1988. The Lords had a chance to stop a Bill that everyone, apart from the then Conservative party, knew was ludicrous and that now everyone, including the Conservative party, knows was ludicrous. Their lordships were solidly in favour of the poll tax— 317 were in favour and 183 were against. That made a total of 500, so 702 either abstained, could not make it to the Chamber or did not understand the question.

The attendance of 500 was one of the biggest this century. Hon. Members may have read that one of their lordships said in the debate that one of the nice things about the debate was that one met so many old friends that one had not seen for many years.

It is not always realised that the hereditary peers passed the poll tax legislation. The life peers voted marginally against— 125 to 97— but the hereditary peers tipped the balance, with 54 against and 220 in favour. So much for the common sense of the aristocracy.

That vote should come as no surprise to us, because their lordships vote, as we do most of the time, according to party affiliation. Of the 759 hereditary peers, only 364 are listed as supporting a political party. Of those, 12 are Labour, 24 are Liberal Democrats and 328 are Conservatives. If I were to include the other 395 who have not answered the question, I have no doubt that the Conservative majority would be even larger.

I read a recent debate held in another place on its own future. It was incredibly smug and self-satisfied and, in the light of the figures that I have just cited, I find it staggering that one peer could say, "Your Lordships' House stands as an independent bulwark"—

Madam Speaker: Order. Is the hon. Gentleman quoting from the current Session? If so, I remind him that that is not allowed and that he must paraphrase.

Mr. Grocott: I am paraphrasing, Madam Speaker. The noble Lord said in effect that the House of Lords was an independent bulwark against extremism at either end of the political spectrum.

I do not want to make this a party political issue so I shall now quote Winston Churchill who, when talking about the hereditary peerage in the early part of the century, described the House of Lords as

> "one-sided, hereditary, unpurged, unrepresentative, irresponsible, absentee . . . filled with old doddering peers, cute financial magnates, clever wire pullers and big brewers with bulbous noses."

I do not agree about the bulbous noses, but I think that we can all understand his drift. He was speaking at the beginning of the century, but the social composition of the House of Lords has not changed that much.

According to the latest figures that I have seen, 60 per cent. of hereditary peers were described as farmers and landowners, 15 per cent. as industrialists and 12 per cent. as being involved in banking, finance and insurance. Even so—I again paraphrase a debate held the other day in the House of Lords—one peer in effect said without any hint of vanity or complacency that it was right to acknowledge that diversity was their greatest strength.

My simple proposition is that in a democracy it is ludicrous for people to inherit the right to legislate, and I am sure that the Bill will have all-party support. In fact, one of the inspirations for my presenting the Bill was the Prime Minister's rallying call for a classless society. I have not been able to check whether he will support the Bill, but, in the light of his known position on a classless society, I think that he should be behind me on this matter.

Should there still be any waverers among the Tories, let me put to them a simple proposition. If, in the Russia of today, for example, there were a Baron Trotsky, a Viscount Stalin or a Lord Lenin, the Tories would rightly be saying that in a democracy it was ludicrous that people should inherit titles, and we would say the same if there were descendants of Bismarck in the German Parliament or descendants of Napoleon in the French Parliament. However, there is a more urgent reason for dealing with the problem, and quickly.

There is a growing trend, which I welcome, for Members of Parliament to act as observers of elections abroad to ascertain whether voting systems are democratic. Of course, we can send people from the House of Lords.

[Mr. Grocott]

Have people queuing outside polling stations in hot African countries ever been questioned by a duke, marquess, earl or viscount about how well their system was operating? If I were in such a queue, my response would be, "Physician, heal thyself."

The democratic rights of the House of Commons have been fought for and they are precious. Your symbolic struggle, Madam Speaker, to be the Speaker of the House is symptomatic of the struggle of democratic power against hereditary power and you, perhaps more than anyone else, are the symbol of that. There are more hereditary peers in Parliament than democratically elected Members of this House. Their right to vote and to legislate for the people whom we represent would be laughable were it not so serious. It is indefensible in a democracy. It requires a simple Act of Parliament to put it right, a step that no one who cares about democracy could oppose. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Bruce Grocott, Mr. Don Dixon, Mr. Peter Kilfoyle, Mr. George Foulkes, Ms Kate Hoey, Mr. George Howarth, Mr. John Hutton, Mr. Chris Mullin, Mr. Ken Purchase, Mr. Jeff Rooker and Mr. Ernie Ross.

Hereditary Peers (Democratic Rights)

Mr. Bruce Grocott accordingly presented a Bill to abolish the right of hereditary peers and peeresses to sit in the House of Lords; to establish their right to vote in general elections and to stand for election to the House of Commons; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 15 July, and to be printed. [Bill 127.]

Orders of the Day

Local Government (Wales) Bill [*Lords*].

As amended (in the Standing Committee), considered.

Ordered,

That the Local Government (Wales) Bill [*Lords*], as amended, be considered in the following order, namely, New Clause 2, New Clause 11, New Clause 1, government New Clauses, remaining New Clauses, amendments to Clauses and amendments to Schedules.—*[Mr. Redwood.]*

New clause 2

Transfer of communities

'Where a community meeting under the 1972 Act resolves that that community should be transferred from the local government area in which it is situated by virtue of this Act to another such area, being an area contiguous with the community, then, provided that no fewer than one half of the local government electors in the community have voted for that resolution, the Secretary of State shall by order amend Schedule 1 to this Act to give effect to that resolution.'.—*[Dr. Marek.]*

Brought up, and read the First time.

3.45 pm

Dr. John Marek (Wrexham): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss also the following: New clause 11—*Referendum on boundaries (No. 2)*—

'(1) If, by resolution, the council of any district existing at the time this Act receives Royal Assent so requests, the Secretary of State shall, before appointing a day for the coming into force of Section 1 of and Schedule 1 to this Act, prepare a scheme for the conduct of a referendum to be held within the area of any such district council.

(2) A referendum under subsection (1) above shall be for the purpose of determining whether the local government electors of the district are satisfied with the provisions of Schedule 1 to this Act so far as they affect the boundaries of any local government area for which they are electors.

(3) Where it appears to the Secretary of State from the result of any referendum held under subsection (1) above that a majority of the electors of any district do not approve of any change in boundaries affecting that district which would result from the provisions of Schedule 1 to this Act, he may by order made by statutory instrument make any modification to that Schedule which he considers will reflect the result of the referendum; and any such order shall be laid before both Houses of Parliament and be subject to annulment in pursuance of a resolution of either House.'.

Amendment No. 14, in clause 65, page 51, line 2, leave out '1,'.

Amendment No. 15, in page 51, line 3, leave out '1,'.

Amendment No. 117, in schedule 1, page 52, line 17, column 2, leave out from 'Cardiff' to end of line 19.

Amendment No. 28, in page 53, line 27, column 2,, leave out from 'Ogwr' to end of line 29.

Amendment No. 35, in page 53, line 34, column 1, leave out 'and Port Talbot'.

Amendment No. 36, in page 53, line 34, column 2, leave out 'and Port Talbot'.

Amendment No. 37, in page 53, line 35, leave out 'a Phort Talbot'.

Amendment No. 116, in page 54, line 1, at end insert:—

'Port Talbot Port Talbot.'.	The district of Port Talbot

Amendment No. 100, in page 54, line 2, leave out 'Rhondda,' in both places where it occurs.

Amendment No. 38, in page 54, line 2, leave out 'Taff'.

Amendment No. 101, in page 54, line 3, leave out 'Rhondda,'.

Amendment No. 39, in page 54, line 3, leave out from 'Cynon' to end of line 5.

Amendment No. 40, in page 54, line 5, at end insert—

'Taff Ely Taf Eli'.	The district of Taff Ely.

Amendment No. 102, in page 54, line 6, at end insert—

'Rhondda Rhondda'.	The district of Rhondda

Amendment No. 29, in page 54, line 9, column 2,, leave out lines 9 to 11.

Dr. Marek: We spent many hours in Committee on the Bill where it was accepted that the issues that caused probably most division, not necessarily across parties, but from one hon. Member to another, were over what to do with communities on the boundaries of the new unitary authorities and whether any particular community or area should be in one of the new unitary authorities or in another. In particular, I remember many hours talking about Llanelly Hill. I am not exactly sure where it is, but it is somewhere on the border of the present borough of Torfaen, the district of Monmouth and the district of Brecon.

Mr. Llew Smith (Blaenau Gwent): Blaenau Gwent.

Dr. Marek: My hon. Friend corrects me. There was a case for including Llanelly Hill in any of those three new districts. Unfortunately, the Government decided that Llanelly Hill was to be in one of the those districts and, in spite of pleas by Labour and Conservative Members, there did not appear to be any movement in the position of the Minister or the Government in considering that, perhaps, Llanelly Hill could be part of another district or another unitary authority than the one to which the Government had allocated it.

Equally, one of the amendments that I tabled in Committee concerned the community of Llangollen. Certainly, a clear majority of people in Llangollen wished to be associated with, and be part of, Wrexham unitary authority. However, the Government decided that Llangollen was to be put in the Denbighshire authority and, in spite of cogent arguments, nothing seems to have changed the Government's mind.

Mr. Llew Smith: May I clarify one point? The Minister said that the Government would go away and think about the Llanelly community and consider the possibility of its being put into Monmouth or, indeed, into Blaenau Gwent. We proved that it was nonsense to keep it in Powys because we worked out that to attend two council meetings, it would take councillors approximately six days because it would require an overnight stay. The Ministers said that they would report back on that issue.

Dr. Marek: We shall have to wait and see exactly what the Ministers say, but I have not noticed that any appropriate amendment has been tabled to accede to the wishes of the Committee. It is true that the Minister said that representations could be made to a local government boundary commission about Llangollen in due course, but I should have thought that it is incumbent on us to get it right now.

Other communities are affected. Llansantffraid-ym-Mochnant, for example, which is currently part of Clwyd, could be regarded as part of a future Powys, but it is not entirely clear. My point is a precise one. The elected representatives of the community council or the district cannot necessarily speak unequivocally for their electors and for their citizens without taking the voices of those citizens and those electors into account.

I will not dwell on new clause 11 which is grouped with new clause 2. However, new clause 11, which I will support in due course, allows for a referendum to be held in a council area. New clause 2 allows for a community council meeting to be held. If more than half the people covered by the community council agree that that community should not be part of the proposals as set out by the Government and that it should perhaps join a coterminous authority, the Secretary of State should take notice of that and introduce an appropriate statutory instrument. In that respect, new clause 2 would be very useful.

Why have the Government been so intransigent about some of the authorities? There have been arguments about whether Meirionnydd should be separate from Caernarfon, but all the arguments met intransigence from the Government. Even though the Government were outvoted on the question of the break up of Powys, I have heard nothing from the Government Front Bench about letting the people decide on the issue.

It is symptomatic of this Government that we have government by diktat. Huge majorities for 12 or 13 years lead to that. The situation has now changed and the Government have time to make amends. I have received much correspondence about Llangollen, which is not in my constituency, but in the constituency of my neighbour, my hon. Friend the Member for Clwyd, South-West (Mr. Jones), who hopes to catch your eye later today or tomorrow, Madam Speaker. However, as I stated in Committee, I have full permission and authorisation to make these comments on behalf of the people of Llangollen.

The important point is that people should be allowed to choose. Llangollen is a long way away and removed from the rest of Denbighshire. It is over two mountain passes and the road is often closed in winter. It is very likely that the headquarters of the Denbighshire authority will be at Rhyl which may be 40 or 50 miles away, while Wrexham is only nine miles away.

When I made those points in Committee, the Minister of State said:

> "It will not have escaped the attention of the Committee that occasionally we come across a town that has some real attachments but is anxious to extend its boundaries further. This is especially so in the case of Wrexham."—[*Official Report, Standing Committee A*, 21 April 1994; c. 155.]

I do not think that it is. The case stands or falls because of the wishes of the people of Llangollen, not because of the wishes of the people of Wrexham. Equally, the case in Llanelly Hill stands or falls because of the wishes of the people in Llanelly Hill, not because of the wishes of anyone else anywhere, even of people here. We should listen to what the people have to say.

[Dr. Marek]

Clearly, if more than half a community's citizens attend a community council meeting and they express a wish, that should be listened to, even by this Government.

Mr. Roger Evans (Monmouth): While I accept the force of the hon. Gentleman's argument, does he accept that in the case of Llanelly Hill, there has indeed been a referendum which was in favour of Monmouthshire? It would appear from amendment No. 77 that the Government now recognise the full force of that referendum.

Hon. Members: What about elsewhere?

Dr. Marek: I welcome what the hon. Member for Monmouth (Mr. Evans) has said. If the Government have recognised it, that is excellent and I congratulate the Government on that. However, as many of my hon. Friends have said from a sedentary position, what about elsewhere?

Mr. Llew Smith: Does my hon. Friend accept that an opinion survey was carried out and the vast majority of people expressed a wish to be part of the Blaenau Gwent community as opposed to Monmouth? Does he also recognise that in the referendum referred to by the hon. Member for Monmouth (Mr. Evans) it was no surprise that people voted to be part of Monmouth because there was no suggestion or policy at that particular time for a borough of Blaenau Gwent? We were still talking about the Heads of the Valleys authority.

Dr. Marek: My hon. Friend also makes the point that we now have firm proposals in front of us. The wisest course of events, when there was a dispute in those five or six areas in the Principality, would be for the issue to be decided after listening to the people. A referendum or a community meeting would be the most appropriate way of proceeding. On the Llangollen issue, there was also a referendum in which 58 per cent. voted in favour of joining Wrexham and only 42 per cent.—that is according to the Minister; the figures are rounded down—voted to stay with Denbighshire. That is not a good advertisement for good government. A clear majority favour joining Wrexham. However, I want to make progress as we are to have two very short debates.

I have had many telephone calls and letters of support for my stance in Committee on Llangollen being part of the new Wrexham unitary authority. It clearly makes sense because of geography, ties, shopping, the location of the hospital and other services, as well as bus routes. Above all, it makes sense because the people want it. If the Government listened to that they would be able to accept new clause 2.

I must say that I have had two letters of complaint, one from the chief executive of Glyndwr district council, Mr. Julian Parry. Quite honestly, he wrote a rather stupid letter pointing out so-called inaccuracies in what I said in Committee. I was told, for example, that I got the year wrong—it was 1992 instead of 1993—and that it is not yet absolutely clear that the new Denbighshire authority will have Rhyl as its centre. If it is not clear to him, I wonder why he is being paid so much per annum by the council tax payers of Glyndwr. He is the only one who has written to me objecting to Llangollen joining Wrexham.The only other person who complained was the clerk of Llantysilio council.

Such people are not elected. I suspect that most community councillors in Llantysilio have never faced an election in their lives. They are quite happy to make decisions and write letters to the Secretary of State for Wales saying, "We believe this and we believe that," but they do not have the backing of the people; they are unrepresentative. Why do they not join me and organise a referendum now that we know all the facts? They should allow the people to decide the issue.

This matter is not confined to a party political argument. Perhaps the Conservative party is trying to gerrymander boundaries for electoral advantage, but I do not think that it is. In most cases, it has just got it wrong.

I have a letter—I am sure that my hon. Friend the Member for Bridgend (Mr. Griffiths) will comment on this matter—from Mr. David Unwin, the Conservative leader of Ogwr borough council. The Conservatives are up in arms over the fact that the Ewenny and St. Brides Major area is to be taken from Bridgend and given to the Vale of Glamorgan. Councillor David Unwin says:

> "Before it is too late, I urge you all to redouble your efforts on our behalf in an attempt to get a last minute change of heart by the Welsh Office Ministers over this issue."

He makes a

> "plea for some common sense and fair play for these communities who have no wish to be torn away from a council"—

Bridgend or Ogwr—

> "based centrally in nearby Bridgend."

It is not a party political issue; it cuts across parties. We would have worse government if we considered it to be a party political issue.

Mr. Jonathan Evans (Brecon and Radnor): Will the hon. Gentleman give way?

Dr. Marek: I shall certainly give way, but I am coming to the end of my remarks.

Mr. Evans: I have been listening carefully to the logic of the hon. Gentleman's argument and I wonder whether he can help me with one part of the new clause. He will have gathered from the intervention of his hon. Friend the Member for Blaenau Gwent (Mr. Smith) that sometimes, even when referendums are held, a decision is not acceptable if it does not happen to be the one with which one agrees. As we found during the debate on the Welsh devolution referendum, some people will never accept the result of a referendum. In the new clause, the hon. Gentleman is permitting every community in Wales to continue to vote on where they should be for local government purposes ad infinitum. There is no cut-off point. It would seem that local communities could therefore face endless referendums on the question of which local government area they should be in. Why has the hon. Gentleman not included a time limit in new clause 2?

4 pm

Dr. Marek: First, the hon. Gentleman has introduced a red herring with regard to devolution. We shall discuss that matter in the debate on the next group of amendments.

Secondly, let us talk about coterminous communities. Communities can only be coterminous communities. I freely admit that I did not have the assistance of parliamentary data when I drafted the new clause. I could have included a limit of six months or something like that —it sounds like a sensible idea—but I did not think of it at the time. I believe in the good sense of community councils and the people of Wales and I do not foresee the type of scenario that the hon. Member for Brecon and Radnor (Mr. Evans) has drawn to the attention of the House.

There are five or six areas where communities feel deeply disgruntled that the Government have got it wrong and they should be in a different authority from the one that they are in but coterminous to it. New clause 2 is an attempt to put the matter right; new clause 11 is a better attempt to put it right. Certainly, as far as communities are concerned, it is sensible. The argument is not that if it goes against the way that I want it to go, I will not agree with it. My argument is that it is up to the people who live in these areas—Llanelly Hill, Llangollen and Llansantffraid-ym-Mochnant—to make the decision; it is not for me to say. In new clause 2, I am seeking to give them the chance, and I hope that the House will be able to agree to it.

Mr. Ron Davies (Caerphilly): I shall seek to call a Division on new clause 11 at the appropriate time in our proceedings.

I am sure that the House will join me in wishing the Secretary of State for Wales a happy birthday. In the proceedings of the Welsh Grand Committee this morning, we discovered that the Secretary of State is enjoying his birthday today. I assure him that he receives the warmest wishes from all of us on this side of the House. When I say, "All of us," I am not sure whether the hon. and learned Member for Montgomery (Mr. Carlile) would wish to join in our felicitations, given the exchange that took place between the hon. and learned Gentleman and the Secretary of State this morning.

We offer the Secretary of State sincere many happy returns for today. I am sure that our wishes are more sincere than those of the Prime Minister, who probably looks at the record of the Secretary of State and hopes that he can get rid of him fairly quickly. It is fair to say that the Labour party's fondness for the Secretary of State is much greater than that of his colleagues in the Tory party because he has done much more for the Labour party in Wales than he has for the Tory party.

The Tory party now enjoys a record low in the polls in Wales. In the local elections earlier this year, it managed what the Prime Minister would probably call a significant achievement in winning one out of the 54 district council seats that were up for election. Last week in the European elections, the Tory party's share of the popular vote fell to less than 15 per cent. It suffered the indignity of coming third behind the Welsh nationalist party and, of course, it did not win one European seat in Wales.

The people of Wales can thank the Secretary of State for at least doing his part to ensure that Wales is represented by five excellent Members of the European Parliament, all of whom have substantial majorities. One of them enjoys the distinction of being the youngest MEP and another, Glenys Kinnock, enjoys the distinction—

Mr. Rod Richards (Clwyd, North-West): On a point of order, Madam Speaker. I fail to see what the hon. Gentleman's contribution has to do with this debate. I appreciate the fact that this will be his last contribution in the House before the new leader of the Labour party removes him and brings in the hon. Member for Cardiff, South and Penarth (Mr. Michael), but I do not see what it has to do with new clause 11.

Madam Speaker: The hon. Gentleman has a point; I was wondering what it had to do with the new clause. Now that the hon. Member for Caerphilly (Mr. Davies) has finished his preamble, perhaps he will move on to the new clause.

Mr. Davies: As usual, the hon. Member for Clwyd, North-West (Mr. Richards) pre-empted me. I was about to refer directly to the fact that the Government suffered such a defeat because of the contempt in which they held the democratic process in Wales.

If new clause 11 is accepted, it will put at the heart of the Bill the opportunity for the people of Wales and the elected authorities to take control of their future. New clause 11 allows an existing district council to require a referendum by a simple resolution. A council could require the Secretary of State to convene a referendum on whether people were happy with the proposals in the Bill.

It is worth considering the fact that this reorganisation of local government was supposedly introduced by consent. When the Secretary of State's predecessor introduced his consultative document he talked about the need for consent; when the White Paper was introduced he mentioned the need for consent; and whenever the Secretary of State and his predecessors introduce any measure or statement in the House they talk about the need for consent. We can now see that consent is the very last thing that the Government have for this reorganisation of local government.

The Government also said that they wanted to use district councils as building blocks. Following our deliberations in Committee, it is now clear that that concept was put out of the window at a fairly early stage. New clause 11 would allow district councils to reassert themselves, to give a view and, we hope, require the Secretary of State to take a much more considered and meaningful view of the wishes of local government in Wales.

Any objective reading of our proceedings in Committee would persuade one to recognise that Opposition Members exposed widespread opposition to the proposals by not only local authorities and Members of Parliament but the public and many of our Welsh institutions, both private and public. In addition, we exposed the very deep resentment in some Welsh communities at the Government's deliberate and flagrant attempt at gerrymandering political boundaries for the sole purpose of influencing the results at the next general election to the advantage of the Conservative party.

We are also clear about the fact that communities such as Neath, Port Talbot, Rhondda, Cynon and Taff Ely were dissatisfied with the proposals. Many of my hon. Friends will want to refer to their local authorities. I shall not speak at length on that subject, but I must briefly mention the attempt at gerrymandering.

In Committee, there was much debate about Llanelly Hill. My hon. Friend the Member for Torfaen (Mr. Murphy) speculated that the Bill was not a local government reorganisation, but a Llanelly Hill reorganisation because we debated it so much. The Government were clearly exposed as using the people of Llanelly Hill as political pawns. New clause 11 would give the district

[Mr. Davies]

council within which they reside—the borough represented by my hon. Friend the Member for Blaenau Gwent (Mr. Smith), who is especially anxious to represent the views of those residents—the opportunity to require a proper referendum.

I accept the point raised by the hon. Member for Brecon and Radnor (Mr. Evans) in an intervention. Of course, the referendum was unsatisfactory, because there was no prior consultation and the Secretary of State did not attempt to tell the people of Llanelly Hill that he had any intention of removing them from Blaenau Gwent and putting them in Powys or Monmouthshire. Now we have a compromise. In the face of the onslaught by my hon. Friend the Member for Blaenau Gwent when he made his case, the Government clearly could not sustain the argument for putting them in Powys, so the Government have conceded and put them in Monmouthshire. The important principle running through all the Opposition speeches is that there ought to be consistency in dealings with communities, which should have the opportunity to decide their future.

When my hon. Friend the Member for Wrexham (Dr. Marek) moved the motion, he referred to Ogwr borough council, which was another subject that detained us in Committee. I, too, received a copy of the letter from Councillor David Unwin. I shall read one or two paragraphs from it, as it demonstrates the utter contempt with which the Government's attempt at gerrymandering has been viewed. He writes:

> "You will already be fully aware of the intense feelings of bitterness and anger that continue to exist within the three communities of St. Bride's Major, Ewenny and Wick in Mid Glamorgan against the current Government proposals to move them away from the new Bridgend Unitary Authority and into the Vale of Glamorgan Unitary Authority.
>
> The local people resent this very much indeed! . . . I am currently Chairman of one of those councils, apart from my other role as Conservative Opposition Leader on Ogwr Borough Council . . . I have lived in my community for the past 25 years and I know only too well what the local people are thinking on this issue . . . My colleagues, Councillor Audrey Preston (Conservative) who represents St. Bride's Major and Wick . . . and also Councillor John Lewis, (Conservative) who represents Ewenny . . . both join with me in this plea".

We have the clearest possible demonstration of the welter of public opinion, expressed by elected representatives, the referendum held in Bridgend, Members of Parliament, letters and public consultation. All those organisations have roundly condemned the Government, yet the Government have a forlorn belief that somehow they will save the political skin of the hon. Member for Vale of Glamorgan (Mr. Sweeney) by shifting a couple of hundred votes across. It is a most contemptible attempt at a political fix and has been resented even by the people whose political interest is supposed to be represented by the attempt. It is disgraceful, and our attempt to introduce new clause 11 will give the people in that community an opportunity to ensure that they have fair play.

My hon. Friend the Member for Pontypridd (Dr. Howells) has fought vigorously not only for the independence of Taff Ely but to ensure that there is no gerrymandering there. We can see what has happened at Pentyrch. I refer the Secretary of State and hon. Members to a report in the *Pontypridd and Llantrisant Observer* on 2 June. The report said:

> "A leading Taff Ely councillor has resigned from the Conservative party in protest at Government policy. Former mayor Jean Henderson, who has represented Pentyrch since 1979, said her decision was prompted by plans to merge Taff Ely . . . 'I really think that the Government has behaved very insensitively,' she said . . . She also attacked plans to place Pentyrch under Cardiff's control. 'I really do think it's because the Government wants to add a few more Conservative voters to Cardiff,' she said."

That is the motivation behind the construction of these boundaries. It was exposed in Committee, has been resented by the public and has been attacked by the Government's political allies. New clause 11 would expose that attempt at gerrymandering and give the people of those communities the opportunity to right that wrong.

We had some debate in Committee on Powys and there was a lot of controversy about the wishes of the people of Powys and the three district councils of Montgomeryshire, Radnorshire and Breconshire. The Government were defeated, of course. Much of the consideration in the early part of the debate was about Powys, but the Government were defeated on the proposal to have Powys as a unitary authority.

It is now clear from the amendment paper that the Government are determined to ignore the wishes of the Committee and of the three district councils and to reinsert that proposal for Powys in the Bill. I want to make it clear that I support the proposals that came from the Committee, and if the measure comes to a vote I shall vote in favour of it. My colleagues and I have consistently said that we will support the case of Montgomery. We did that in Committee and we also said that we would consistently support the case for Brecon and Radnor as independent authorities. We also applied that principle to the borough councils of Rhondda, Taff Ely, Llanelli, Port Talbot and Neath.

On every occasion, we challenged the hon. Member for Brecon and Radnor to show the same consistency we had shown. If there was a disgraceful event in that Committee, it was when the hon. Gentleman, having seduced—I use the word advisedly—the hon. and learned Member for Montgomery (Mr. Carlile) and the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) into supporting him, and knowing that he had the support of Labour Members, quite deliberately, at the very next sitting of the Committee, betrayed the hon. Member for Meirionnydd Nant Conwy and refused to vote for that authority. That reflects poorly on the hon. Member for Brecon and Radnor.

We stated clearly that the Labour party was in favour of the principle of consent. We wanted reorganisation. *[Interruption.]* The hon. Member for Harrow, West (Mr. Hughes) did not take part in our proceedings in Committee. I shall not remind him of what happened to his predecessor, the Whip on that Committee, but I should be happy to discuss with him why that Whip left the Committee. I suggest that he have a word with his Minister, who I am sure will advise him to restrain himself. The Labour party wanted reorganisation to take place with the consent, and according to the wishes, of the people. That is what new clause 11 will achieve.

4.15 pm

The hon. Member for Brecon and Radnor failed to persuade the Government of the merits of his own case for an independent Brecon and Radnor. He failed to convince the majority of his colleagues to join him in defeating the Government. He failed to follow the principles that he had argued that we should follow in carving up Powys, because he did not follow those same principles when we voted on Rhondda and Port Talbot. He also failed to reciprocate the vote of the hon. Member for Meirionnydd Nant Conwy —not that there was any binding agreement between them. He failed to vote with those of us in the Committee who wanted to defeat the proposals for area committees, although he knew that, if we had defeated that proposal, the Government would have had to accept our proposal to dismember Powys unitary authority.

If the hon. Member for Brecon and Radnor finds that he is defeated tonight, as I am sure that he will be, he has no one to blame but himself. He is the architect of his own defeat. Had he shown any consistency or principle, he would have found that he and colleagues could force the Government to accept the logic of the case not only for Brecon and Radnor but for Montgomery and Meirionnydd. I hope that the electors of Brecon and Radnor will repay the hon. Member, come the next general election.

Mr. Jonathan Evans: I am flattered that the hon. Gentleman has chosen to devote so much of his speech to my personal position. He aspires to be Secretary of State for Wales. Earlier today, he had a meeting with the leaders of Montgomeryshire council, Breconshire council and Radnorshire council. He heard their pleas in relation to the position he has taken—a shabby position, if I may say so —in this debate. If he truly aspires to be a proper Secretary of State for Wales, will he say what his response was to those leaders?

Mr. Davies: The hon. Gentleman asked why I have spent so much time on him. The simple reason is that he has spent most of today briefing the press and has tried to pretend that his failure to defend his own interests in Brecon and Radnor has been caused by the Labour party. Somehow, 265 of us are supposed to gallop to the defence of the single vote from the hon. Member for Brecon and Radnor. That is a most odd proposition.

It is true that I met representatives of those three district councils. I explained clearly that if there were any prospect of their securing the objective of separate unitary authorities for their councils, it lay in new clause 11. The Labour party is united on that new clause. The hon. Member for Brecon and Radnor knows that we have asked all our colleagues to join us in the Lobby to vote in favour of it. The new clause represents a matter of principle for the Labour party, although the hon. Gentleman may not recognise that.

I understand that representatives of the Liberal party and of Plaid Cymru, the nationalist party, will also join us in the Lobby. The Opposition parties will be united tonight. That unity demonstrates the way in which we have all been, if I may speak for all the Opposition parties, absolutely consistent in our treatment of local authorities, be they Labour authorities in south Wales, Liberal or Tory authorities in mid-Wales or Plaid Cymru or independent party authorities in north Wales. We have applied the same principle to all of them.

There is a realistic chance of new clause 11 being carried tonight. It will require the courage of the hon. Member for Brecon and Radnor in voting with us and his diligence in persuading some of his colleagues to join him. If he does that and new clause 11 is carried, it will be a decisive boost for better local government in Wales. It will give a democratic choice to people who live in Montgomery and Meirionnydd and to communities such as Port Talbot and Caerphilly. It will also be an object lesson to the Government of the dangers that arise from their arrogant abuse of power. I hope that new clause 11 is carried.

Mr. Alex Carlile (Montgomery): I suspect that a more direct answer to the remarks of the hon. Member for Brecon and Radnor (Mr. Evans) would have been that it is not for Opposition parties to produce legislation that represents an acceptable consensus for the people of Wales. It is for the Government to produce legislation that is correct and represents a consensus acceptable to the population. The Government have failed to do that because the decision-making process that has led to the Bill in its present form, as it will probably be glossed by the amendments that are carried tonight, has been severely deficient.

Had the referendum proposals been in place, the Government would have known exactly what the public felt in areas where Ministers know that there is passionate feeling about the future of local government and the community of which that local government has been a symbol for many centuries, as in areas such as Montgomeryshire.

An advantage of a statutory referendum procedure as set out in new clause 11 is that it would be not the type of referendum that has been criticised in the "foreplay" to the Bill but a referendum conducted under objective rules made by the Government. The Government would have an opportunity to present their case to the people of the districts concerned and opposition to their proposals could also be voiced. A referendum would provide the Government with an informed decision by the population of districts such as Montgomeryshire and they could then decide, on the basis of that informed decision, whether it was right to proceed with their initial proposals.

It would be a much better form of decision making than we have had. May I compare the influence on decisions which a referendum can have with the decision-making process in relation to the Bill?

Mr. Jonathan Evans: The hon. and learned Gentleman knows that the Bill as it emerged from Committee contains a proposal for a Montgomeryshire authority which he and I supported. That much is certain. The measure that he now says he intends to support proposes merely a consultative referendum. Is that to be preferred to what is currently in the Bill?

Mr. Carlile: Of course not. Had such a referendum been available, we would probably never have reached the proposals in the White Paper because the Government would have understood that they were wholly unacceptable. I do not want to repeat what has been said on many occasions, except for a few sentences. Within my constituency of Montgomeryshire, there is an overwhelming and passionate objection to the way in which the Government have ridden crudely roughshod over the views of my constituents.

The anger felt in Montgomeryshire is reflected not just in the district council. Hundreds of people have written to me and a fair number have written to the Secretary of State. Representations made to Ministers have been courteously received, particularly by the Minister of State. Overwhelming expressions of opinion made through an opinion poll and a petition have shown beyond doubt that the decision-making process adopted by the Government simply did not produce a result that was representative of

[Mr. Carlile]

the public's views. If we had at least consultative referendums under a statutory procedure, how much more reliable the Government's basis for legislation would be.

Let us compare a referendum with what has happened. I should like to run through the chronology for a few moments.

Mr. Roger Evans: I am aware of the force of the hon. and learned Gentleman's argument and I appreciate that that might apply to Llanelli Hill, Ewenny or Wick. As I understand the force of his argument, he wants a separate Montgomeryshire authority. Does he agree that the wording of new clause 11 is such that there can be a referendum on the provisions only

> "so far as they affect the boundaries of any local government area",

so there is no consolation or aim for his purpose in new clause 11, whatever other arguments he may have?

Mr. Carlile: I did not draft new clause 11, but my understanding of it is that it does cover the point that I seek to make, and it seems to me to have been carefully drafted to answer the hon. Gentleman's argument.

I shall turn to the chronology for a few moments. On 3 March 1992, the right hon. Member for Wirral, West (Mr. Hunt), the then Secretary of State for Wales, made a statement in the House and issued a consultation paper. There had not been a referendum; had he held a referendum he would have found, unusually for his party, that he had virtually 100 per cent. support in my part of Wales at least. He said:

> "In the rural areas I want to see local government based on the traditional counties, such as Pembrokeshire, Montgomeryshire, Cardiganshire and Anglesey and, of course, we recognise the position of Meirionnyddshire and Carmarthenshire. I shall consult further on whether to extend that approach to separate authorities for Radnorshire and Brecknock."—[*Official Report*, 3 March 1992; Vol. 205, c. 171.]

At that stage, therefore, the then Secretary of State was going to have, among others, a separate Montgomeryshire and a separate Meirionnyddshire. That was clearly stated.

That was confirmed a short time later in a written answer to the then Member for Delyn, Mr. Raffan, who, I believe, has departed these shores to a more prosperous life across the Atlantic. The Secretary of State was asked to estimate how much money would be saved by moving to unitary local government in Wales. He replied:

> "My proposal for a structure of 23 unitary authorities is estimated to be cost neutral; I am placing in the Library of the House and in the Vote Office copies of the report submitted to me by financial consultants."—[*Official Report*, 16 March 1992; Vol. 205, c. *904*.]

At that stage therefore, in spite of everything that has been said since about its being more expensive to have smaller unitary authorities, the then Secretary of State was saying that he was going to have 23 unitary authorities, which included Meirionnyddshire and Montgomeryshire. It was even accepted at that time that it was value for money. There was no need for a referendum at that stage because he would have had 100 per cent. support.

Then we reached the 1992 general election. There was a frisson of anxiety among the Liberal Democrats in Montgomeryshire as David Hunt, at that time not a Member of Parliament but merely a candidate although still Secretary of State for Wales, came to Llanfechain and made a promise—a pledge—that Montgomeryshire would be a unitary authority. There was no need for a referendum because we were having a general election. The Secretary of State at the time would not have said it if he did not think that it would win him votes. That was one of the purposes in saying it, although it is my view that the then Secretary of State meant every word he said, and has always meant every word he said on that subject, and I acquit him of any duplicity on the issue.

Let us turn for a moment to the answer that was given in Committee in relation to the Llanfechain promise by the current Under-Secretary of State. He sought to present, on behalf of the—by then—former Secretary of State what appears to have been a plea in mitigation. I suspect that plea was not written by the former Secretary of State. The Under-Secretary said:

> "My right hon. Friend the former Secretary of State has confirmed that his statements, which were made in a pre-election meeting, have been taken out of context. He did not pledge the Government to a Montgomeryshire unitary authority."

4.30 pm

At least if we had had a referendum, there would have been some record of the pledges and of their context. The context, of course, was a vote-winning meeting in a village called Llanfechain, and there was no possible contextual ambiguity about what the right hon. Member for Wirral, West said. The Under-Secretary continued:

> "Rather, he was looking forward to considering that on the basis of the proposals which he had already published from the Welsh Office or stated in the House. That was the position in 1992. There has been further consideration of the issues since then, especially those in the context of the Welsh Consultative Council on Local Government Finance. The Government have been convinced that Montgomeryshire was too small and that a Powys authority was in the best interests of local government and service delivery."

I put it to the Minister that what he said in Standing Committee was simply inaccurate and that the Secretary of State in 1992 meant every word he said. It is time that we heard from a Minister the real reasons why the Government have ratted—why they have gone weasel on their words. It is time that we heard the truth.

In revealing the real truth—I shall reveal it to the House in the next few moments—we shall see the difference between that truth and the way in which this matter would have been decided had there been a local referendum.

On 14 April 1992, a significant event took place which I am sure that the Secretary of State will recall. That was the day the current Secretary of State for Wales was appointed Minister for Local Government and Inner Cities at the Department of the Environment. He became the Minister who most closely influenced discussions and decision making in relation to local government reform in England. Of course, we all know that our elective dictatorship, in the form of the Secretary of State for Wales, is somewhat diluted by the fact that many of the shots are called not in Cardiff or in Gwydyr house but in lead Departments in England. This is where we begin to see the insidious effect of the lead Department in England, which, to the relevant extent, was thenceforth led by the right hon. Member for Wokingham (Mr. Redwood).

Then, in September 1992, the Welsh Consultative Council on Local Government Finance met. It was referred to by the Under-Secretary in Standing Committee on 19 April this year, when he said:

> "There has been further consideration of the issues since then, especially in the context of the Welsh Consultative Council on Local Government Finance."—[*Official Report, Standing Committee A*; 19 April 1994, c.105.]

In September 1992, the Welsh Consultative Council on Local Government Finance met and discussed the structures group work on service delivery. Following that meeting, Meirionnydd and Montgomery remained unitary authorities in the plans of Welsh Office Ministers.

It is worth contrasting this shabby decision-making process with some questions that I tabled which were "answered" by the Secretary of State earlier this year. On 10 May, I asked him:

> "on what date his predecessor sent the draft White Paper, 'Local Government in Wales—a Charter for the Future', to other members of the Cabinet seeking their agreement to its publication".

The right hon. Gentleman answered:

> "It is not the practice to give details of internal discussions on policy formulation."—[*Official Report*, 10 May 1994; Vol. 243, c. *107.*]

On 16 May, I asked on what date the Government decided that the White Paper on local government in Wales should not contain proposals for unitary authorities for Meirionnydd and Montgomeryshire. The right hon. Gentleman answered—on behalf of this open Government:

> "It is not the practice to give details of internal discussions on policy matters.—[*Official Report*, 16 May 1994; Vol. 243, c. *351.*]

One had to ask oneself, why, oh why, did this open Government, who believe in revealing the decision-making processes, decide not to tell when they changed their mind about whether there should be unitary Meirionnyddshire and Montgomeryshire?

I turn now to some interesting information which, hitherto, was not in the public domain. It has been revealed to me by a source who plainly is very strongly against the outrageous decision-making process which we have suffered and which I continue to contrast with a process that would have included a referendum.

My source has revealed matters which I challenge the Secretary of State to confirm or deny. It is true—but it would be nice to hear it confirmed honestly from the Government Front Bench—that, on 18 December 1992, the then Secretary of State sent a minute to the Prime Minister and to other Ministers about his proposals for the White Paper. In effect, it was the draft White Paper. What did it contain? Reference to a unitary Montgomeryshire and Meirionnyddshire. December 1992 was close to the wire so far as the White Paper was concerned.

On 13 January 1993, a private secretary in the Prime Minister's office, Mary Francis, wrote a letter to a private secretary at the Welsh Office, Judith Simpson. Hitherto, that letter has not been in the public domain. I shall quote from it, as a part of its contents has been revealed to me. Perhaps the Secretary of State would like to check the authenticity of the letter. It reads:

> "Dear Judith"—

that part being in manuscript—

> "Local Government Re-organisation in Wales"
>
> "The Prime Minister was grateful for your Secretary of State's minute of 18 December. He welcomes the broad outline of his proposals. He has, however, expressed concern about the following points and I would be grateful if you would clarify the position on them:
>
> (i) the new authorities will cover populations ranging from 34,000 to 295,000."

Then the perfectly proper question is asked:

> "Is it feasible to expect such disparate areas to provide the same quality of service?"

The point about that extract is that the reference to populations ranging from 34,000 to 295,000 makes it absolutely clear that, on that date—13 January 1993—the Welsh Office was proposing, in its draft White Paper, a unitary Meirionnydd, a unitary Montgomery and, I believe, a unitary single Brecon and Radnor. If the Welsh Office had proposed a single Radnor, the range would have been smaller than 34,000 to 295,000. I am extremely grateful to whoever provided me with that information—I have no idea who it was—and for revealing to me what a dingy and vilely deceitful decision-making process, and I choose my words carefully, has been followed. I, and most of the people of Montgomeryshire, do not intend to pull any punches about what is happening to our county. We wish to contrast that process with what might have happened if we had had new clause 11 and a referendum procedure.

The White Paper was issued on 1 March 1993. At some point between 13 January—when the letter from which I quoted was written—and 1 March, Montgomeryshire and Meirionnyddshire were chopped. What happened and who made it happen? It is plain that Welsh Office Ministers were not responsible, because they were in favour of a unitary Montgomeryshire and a unitary Meirionnyddshire. It is also plain that the proposals went to the Department of the Environment—and equally plain that they would have been considered by the right hon. Member for Wokingham, then Minister for Local Government and Planning.

What was the Minister worried about? It follows as night follows day: if the matter were being considered by a jury, that jury would scream "Guilty" at the right hon. Gentleman. I can see it all. The message sent back to the then Secretary of State for Wales was, "We cannot have little authorities like this, or we shall end up with Rutlandshire, Huntingdonshire and such places as Clackmannanshire in Scotland." What have we now? We have Rutlandshire in England—the Government had to give way on that; we have Huntingdonshire in England, which was recommended because the Prime Minister represents the area; we have Clackmannanshire in Scotland. For some reason, however, the Welsh Office remains intransigent. One wonders why—for, by the time that the White Paper was produced, Montgomeryshire and Meirionnyddshire had gone.

Analysis of the statement made in the House by the then Secretary of State on 1 March 1993—the day of the White Paper's publication—makes it clear that the right hon. Gentleman was pretty embarrassed by what he had to present in the way of proposals for mid-Wales.

What happened next? On 27 May 1993, the right hon. Member for Wokingham was promoted to the post of Secretary of State for Wales. I have chosen my words carefully, and I am sorry if the Secretary of State took offence when I spoilt a moment of his birthday, as he seemed to suggest this morning. It is clear that by the time that the Secretary of State arrived at the Welsh Office, Montgomeryshire's and Meirionnyddshire's prospects of becoming unitary authorities were nil, because the right hon. Gentleman was actuated by bias against small unitary authorities.

The Secretary of State for Wales (Mr. John Redwood): I hope that the hon. and learned Gentleman will withdraw all those scandalous allegations, for which he has not a shred of evidence. If he wants to know what my views were when I was Minister for Local Government and Planning, he need only turn up my speech to the Conservative party conference in the autumn of 1992,

[Mr. John Redwood]

which is a matter of public record. It made my position very clear—and it was very different from that which he described.

Mr. Carlile: Then why did the Secretary of State not answer my questions on 10 May and 16 May, reported in *Hansard* at columns *107* and *351* respectively? What does he say about the letter from which I quoted, which has been leaked from some Department or other? What does he say about when the decision was changed? Will he tell us who changed it? If he is not the guilty party, he should let the people of mid-Wales—the people of Montgomeryshire and Meirionnyddshire—know who the guilty party is. It is disgraceful that the Government should hide behind such shabby subterfuges, especially as we now have Rutlandshire, Huntingdonshire and, I believe, six other English authorities that are smaller than Montgomeryshire, as well as Clackmannanshire.

It is noteworthy that, in his speech about the Bill in another place on 17 January—reported in column 364—Lord Rodger carefully avoided giving the Government's opinion. Every time he referred to Meirionnydd, in particular, he used the words "the Secretary of State" rather than "the Government"—"the Secretary of State" had justified the change in the decision. That was a very interesting and careful use of words by a distinguished and cautious lawyer, and I think that those words bear close examination.

I shall withdraw my earlier words, with one proviso: the Secretary of State must recognise that the decision-making process has been severely defective and that he has gone against the will of the people of central Wales and Meirionnyddshire, and must agree to unitary authorities for Montgomeryshire and Meirionnyddshire. I shall withdraw my words then, and not until then.

Until we have a better decision-making process, including statutory referendums, we shall be faced time and time again with similar disgraceful decisions by the elected dictatorship in the Welsh Office. Such decisions cause grave offence not only to Members of Parliament but to the very many members of the public whom we represent.

4.45 pm

Mr. Walter Sweeney (Vale of Glamorgan): The hon. Member for Caerphilly (Mr. Davies) again made the accusation that gerrymandering was behind the Government's policy in the Bill. The matter was addressed at length in Committee and I was sorry to hear the hon. Gentleman raise it yet again—particularly as the hon. Member for Wrexham (Dr. Marek) acknowledged that gerrymandering had probably not been the Government's objective.

I am obliged to bring a number of factors to the hon. Gentleman's attention once more. First, as the hon. Member for Cardiff, West (Mr. Morgan) acknowledged in Committee, there is no obvious likelihood that the three villages of Wick, Ewenny and St Bride's Major will be added to the Vale of Glamorgan parliamentary constituency. The Vale of Glamorgan already has some 67,000 electors and is the largest constituency in Wales. The hon. Gentleman knows full well that the average electorate of the 40 proposed new constituencies in Wales is about 55,500; adding a further 3,000-plus electors to the Vale of Glamorgan would make it wildly oversized. The hon. Member for Cardiff, West clearly understood that in Committee and it is a shame that such a simple message has not got through to the hon. Member for Caerphilly.

The hon. Member for Cardiff, West realised the logical effect of the requirements under which the boundary commission works. If those villages had come into the Vale of Glamorgan unitary authority—in other words, if the Bill had been enacted by 1 June this year and the boundary commission had therefore based its recommendations on the revised county boundaries rather than the old ones—it is likely that, rather than those three communities being added to the Vale of Glamorgan constituency, the boundaries to both the west and the east of the Vale of Glamorgan unitary authority would have been taken into account. That would have resulted in an electorate of 88,000. Surely the hon. Member for Caerphilly did not seriously think that there would be the remotest possibility of a constituency of that size being established.

The hon. Member for Cardiff, West was probably right to observe, although I cannot see into the minds of the politically independent members of the boundary commission, that one way to deal with the matter would be to create two new parliamentary seats in the Vale of Glamorgan. Whether the Bill had been passed before 1 June or, as now seems likely, some time next month, the hon. Member for Caerphilly was wrong in his suggestion and I hope that he will have the generosity to withdraw his comments.

Today, I received a letter from Mr. Jones, a constituent of the hon. Member for Bridgend (Mr. Griffiths), containing a copy of a letter that he sent to Birds Garden Centre, a well-known firm in the Vale of Glamorgan. He stated that, because he was so annoyed about the prospect of becoming an elector in the new unitary authority of the Vale of Glamorgan, he would withdraw his custom from Birds. That is the level at which the debate has been conducted in those three communities, which fear that somehow they could be prevented from continuing their normal association with Bridgend. Those three villages will remain just as proximate to Bridgend and, with or without the Bill, their residents will be just as capable of going shopping in Bridgend. The very fact that Mr. Jones was able to threaten to withdraw his trade from Birds shows the connection between those three villages and the rural vale.

People in those three villages live adjacent to villages in the existing Vale of Glamorgan and share common interests with them. The likelihood is that they will benefit from being in the Vale of Glamorgan because of the community of interest with the neighbouring rural communities.

Mr. Win Griffiths (Bridgend): When the hon. Gentleman put those arguments to a public meeting at Brynteg comprehensive school in Bridgend, how many of the audience of between 175 and 200 voted with him?

Mr. Sweeney: I can answer that only by placing my answer in the context of the meeting, which was chaired by Mr. David Unwin, a member of the public who has already been referred to in the debate and who is vehemently opposed to the Bill. He is a leading member of the Conservative organisation in the Bridgend constituency. I expected him to chair the meeting in an unbiased manner.

The hon. Gentleman and I were officially invited to the meeting to present our views. Mr. Unwin opened it by making a half-hour speech opposing the three villages coming into the Vale of Glamorgan. The hon. Member for Bridgend then spoke for a similar time before I could get a word in edgeways.

That is the background to the vote, which was taken at the end of the meeting. The chairman first asked who was from the Vale of Glamorgan and they were not allowed to cast any vote. The fact that people voted against coming into the Vale of Glamorgan should be seen in that context.

Mr. Win Griffiths: How many?

Mr. Sweeney: I do not know how many people voted, but I accept that the people at the meeting were opposed to coming into the Vale. That is hardly surprising, given the context in which the discussion took place and the dismissiveness of one member of the audience when I said that people were likely to experience lower levels of council tax in the Vale of Glamorgan than if they remained in Bridgend and that they would have a shared community of interest with the neighbouring villages. Those arguments were ignored.

I strongly object to the allegations made by the hon. Member for Caerphilly and I hope that I have nailed his points once and for all.

Mr. Allan Rogers (Rhondda): I shall make some general remarks and then I shall be specific as I know that many of my hon. Friends want to speak.

We regretted the decision of the Secretary of State for Wales to break with tradition by insisting that the Committee did not consist solely of Welsh Members. For various reasons, many of us were unable to serve on the Committee that discussed the Bill and put our communities' case. On behalf of my hon. Friend the Member for Pontypridd (Dr. Howells) and others who could not sit on the Committee, I thank my hon. Friend the Member for Caerphilly (Mr. Davies) for the able way in which he put our case.

I agree with my hon. Friend the Member for Caerphilly that it was appalling that the hon. Member for Brecon and Radnor (Mr. Evans) advanced principled arguments in support of the position in Powys but voted against that proposition and the logical argument on the south Wales valleys. My hon. Friend the Member for Caerphilly was right to expose him today for his unprincipled stand.

We may talk about principles, but there is one thing that I fail to understand about the Bill. It is patchwork quilt and it is inconsistent. During discussions, the previous Secretary of State asked us to present our opinions and then said that the Glamorgan valleys would be divided on a reasonable basis. Within a year, that was completely overturned. Even at this late stage, no good reasons have been presented for the structure that the Secretary of State proposes in the Bill. It is an inconsistent sham and a patchwork without any underlying principle.

The one principle that the Minister put forward was that the Bill would set up unitary authorities. I have served on district and county councils. Having seen how they operate and the way in which they provide services, I believe that there should be two-tier local government.

Since the publication of the Bill, my views have been justified. Its basic proposition relates to unitary authorities, but the Secretary of State says that unitary authorities are too small to carry out certain functions and that they have to form joint boards. Perhaps the only consistent argument that the Secretary of State advanced was that the Glamorgan valleys have a mini county council with a population of about 250,000 people. It will probably be the only authority in south Wales that will be able to deliver all services itself. Every other unitary authority will have a second, unelected tier. It would have been far better if the Secretary of State had retuned local government in Wales instead of setting up a false structure that has no relationship to an overall authority in Wales.

One problem for the Glamorgan valleys is that the Secretary of State has a "flat earth" mentality. He looks at the map and decides that Aberdare is only a couple of miles away from Maerdy, but fails to realise that there is a mountainous area between them. It is unbelievable that what we are debating will affect the delivery of intimate services. We shall be landed not with two-tier local government but with three-tier local government, and the area committees will mean even further divisions.

When I made my case to the Secretary of State, he said that Rhondda could be an area committee within the Glamorgan valleys system. That is completely inconsistent, especially from a person renowned for his logic and clear thinking. If that is an example of clear thinking in relation to the business of Wales, we are being very badly served. Rhondda communities are aggrieved, and rightly so. For almost as long as local government has existed in its present form, Rhondda has been a single authority. Even under the previous reorganisation, it was not linked with another authority. Its boundaries remained inviolate because it is a particular and peculiar unit in itself.

I am not arguing against my hon. Friends the Members for Merthyr Tydfil and Rhymney (Mr. Rowlands) and for Blaenau Gwent (Mr. Smith)—I congratulate them on having succeeded in making their case. However, if the arguments are good enough for Merthyr Tydfil and Rhymney and for Blaenau Gwent, they are good enough for Taff-Ely, Rhondda and Cynon Valley. The illogicality of the proposals has been exposed for all to see.

5 pm

We are not engaged in a semantic or statistical game; we are setting a pattern for local government for the next century. Those of us who have served at all levels of local government know that we are discussing the delivery of vital services on which people depend in order to live a decent life. Local government looks after people and has always done so, almost from their birth until the day that they die. That is what we are discussing; the Bill is not a statistical exercise and it is certainly not a semantic one. The Secretary of State has let down the people of Wales and he has especially let down the people of Rhondda and of the valley communities.

Mr. John Morris (Aberavon): The amendments standing in my name and that of my hon. Friend the Member for Neath (Mr. Hain) aim to delete Port Talbot from the proposed Neath/Port Talbot part of Lliw unitary area. I also support new clause 11, which would provide self-determination for the many communities in Wales that are incensed by the present proposals. If that principle were accepted, it would go a long way to meet our needs.

I am grateful that our amendments have been selected because, despite the eloquence of my hon. Friend the Member for Neath, he failed to persuade a majority of the Committee to support other amendments to the same effect

[Mr. John Morris]

—we lost by 14 votes to 11. The reason was that the Government not only moved the goalposts but changed the venue. Although the Bill deals solely with Welsh matters, the Government packed the Committee with English Conservative Members who had no interest in the issues but merely carried out their obligation to support the Government, come what may. Like Pavlov's dogs, when the bell rang they voted no. Welsh Labour Members, who comprise the overwhelming majority of Welsh representatives, were denied places on that Committee, and that is the democratic deficit in decision-making on the structure of local government in Wales.

The result is clearly linked to the absence of a Welsh assembly, which is to be the subject of our next debate. Local government would have been the responsibility of that assembly, and those who would have known about such things—because they would have been democratically elected—would have been able properly to determine the needs of local government in Wales. Alas, there is no Welsh assembly, and decisions are therefore taken by a succession of English Secretaries of State. I sometimes wonder how much better the decision-making process is since the coming of the Welsh Office.

Given that we have had a series of English Secretaries of State, I should like to know who is really behind the proposals. It cannot be the Secretary of State because he would not know anything about the issues and had not heard of our problems before he got his little Cabinet place to represent Wales. Are junior Ministers responsible? I suspect that they would not have the interest, energy or zeal to cut across clearly defined local views, as has happened to my constituents. Is the political adviser to the Secretary of State responsible? He was my Conservative opponent at the previous election. He should certainly know better, although, when a delegation came to see him and the Secretary of State's predecessor, he excelled himself by sitting on the fence. If it is not the democratically elected people who are responsible, who is the grey figure in the Welsh Office who has made this determination?

I compare what is happening in Wales with what is happening in England. It is fascinating to learn that each household is to be consulted. There is certainly a divergence in the recommendations of the commission under Sir John Banham. We never had a commission, but I was one of those who advocated it. I was especially interested to read Sir John Banham's letter to *The Times* on 22 March. He wrote:

> "It will be most unwise to press ahead with changes to create unitary authorities unless there is clear local support for change and there are local champions for particular local situations."

The reasons adduced for the resurrection of Rutland are fascinating—it is argued that there is a strong sense of community felt by local residents. We want to know how Port Talbot and Neath differ; so far, the Secretary of State has failed the test.

I have not time today to tell the House, as I did on Second Reading, about the results of polls, inquiries and tests that were conducted locally in Port Talbot and Neath in order to ascertain local opinion. Sir John Banham makes it clear that it would be "most unwise" to proceed unless there were clear local champions for change. If the Secretary of State could tell me who the local champions for change in Port Talbot and Neath are, I should be delighted to hear him—in the face of the unanimity of views of members of the public, the leaders of local government and the councils, of whatever hue or political persuasion. Do not we, like Rutland, have the strong sense of community that lies behind the Banham commission's determination?

The Secretary of State put the cat among the pigeons with his death-bed—or pre-shuffle—repentance to allow Merthyr to survive. I congratulate my hon. Friends the Members for Merthyr Tydfil and Rhymney (Mr. Rowlands) and for Blaenau Gwent (Mr. Smith) on their efforts, but I suppose that the Secretary of State wanted to show that he was a responsive and sensitive man and decided to give something away, just like old-fashioned colonial Governments did to pacify the natives.

How do we differ? In his letter to me on 28 April, the Secretary of State, with reference to our population, economic regeneration and efforts to attract new industry, could say only:

> "I am not convinced by the claim, in the document you sent me, that there is any justification for a population growth prediction for Port Talbot. Although the population figures for Merthyr and Port Talbot tell a fairly similar story during the 1980s, Merthyr's population had by the beginning of the 1990s recovered to the level of the early 1980s. This cannot be said of Port Talbot."

What is the position? The drop in population has been arrested and is now being reversed, but the House should know what caused the drop in population in the 1980s. It was a Tory Government, under such luminaries as Keith Joseph—now Lord Joseph—Lord Walker, and Lord Howe, as Chancellor of the Exchequer, who decimated our steel industry and we lost 7,500 jobs in a matter of years. In response, they provided only a totally inadequate amount of alternative jobs. That is where the responsibility lies. The young people walked with their feet or, as Lord Tebbit would have it, they got on their bikes to find work.

Today, there is a change. With first-class communications and despite the fact that the Government have taken away our development status, there is an increase in population and 655 more dwellings have been constructed in Port Talbot in the past six years, compared with 22 in the previous six years. The Registrar-General has been proved wrong in his forecast, because he estimated that the population in 1990 would be 48,800 whereas, in fact, at the last census in 1991, it was 51,000. The Secretary of State has failed to take into account what is happening. With all due regard to Merthyr and Blaenau Gwent—I have done a little in my time to help and support regeneration in those areas—I do not think that it is understood that, given our situation and our communications, the potential is much greater in any area contiguous to the sea than in an area which does not have those communications and advantages.

In the years ahead, when the economy recovers—it has not recovered yet for us—we shall see a dramatic upturn in the population. The period of severe difficulties in the early 1980s is history. The availability of good industrial sites, the improved attractiveness of the borough as a place in which to live and, especially, the provision of quality housing, is changing the whole situation. It is for the Secretary of State to justify the case for change. The onus is on him. Sir John Banham makes it clear in that letter from *The Times*, from which I quoted, that the responsibility is on those who propose a change. I fear that the blinkered response of the Government, their failure to take account of strongly held local views and the way in which they have ignored completely the change that is taking place in our population and our hopes and prospects for the future will result in grave disappointment tonight in Neath and in Port Talbot over what the Government are doing to those two great boroughs.

Mr. Dafydd Wigley (Caernarfon): I rise to support the two new clauses as one who served for a couple of years on what was one of the old county boroughs in Wales—Merthyr. I am delighted to see that back as a unit in its own right. The lessons that are relevant to Merthyr are relevant elsewhere as well. Community matters very much in Wales and we want to see units of government that respond as closely as possible to natural communities.

As the right hon. and learned Member for Aberavon (Mr. Morris) mentioned, had we had an elected Welsh parliament or an assembly which drew up a scheme for local government, I have no doubt that there would have been a much greater sensitivity towards the need to identify with communities, because the people in such an assembly would have grown from those communities themselves.

That brings us to the basic question—new clause 11, in referring to a referendum, touches on it—of the legitimacy of the proposals before us. The hon. and learned Member for Montgomery (Mr. Carlile) referred to the elected dictatorship in the Welsh Office. Of course, the Secretary of State is not even elected from within the community of Wales, the future of which we are discussing.

If hon. Members agree that, as I would certainly claim, our authority to speak in this place or, indeed, to speak in any forum, be it a local authority or a Parliament, comes from the people, the legitimacy of these changes and the rights of the people who are so much affected by the changes to the local government structure of a community within which those services will be delivered must grow from the people whom the changes serve.

The new structures of local government must identify with the communities that they serve and must have the support of the people who live in them. That is the basic difference between Conservative Members and some Opposition Members. Across the Opposition parties, we believe that our sovereignty and legitimacy grow from the people upwards and not from institutions down. Therefore, especially in drawing up structures of government, there must be an identification with the wishes of people.

5.15 pm

Clearly, on that basis, and especially if the attempt to do away with the change agreed in Committee, which rescued Montgomeryshire, is successful and the unit of Powys comes back into existence, the proposals before us are a model of local government which falls between two stools. We shall have unitary local government authorities that are too large to be truly local and too small, in some ways, to be strategic authorities.

The whole point of the exercise was to try to get a more efficient system of government. I listened to the hon. Member for Rhondda (Mr. Rogers) saying that he believed in a two-tier system of local government. I understand his reasons and I understand the lack of the legitimacy of joint authorities taking decisions, which is one stage removed from democracy, but there is a strong argument for having unitary authorities, provided that they are the right size and are drawn up with the right borders. As I saw when I served in Merthyr, there was an ability to bring together housing and social services, for example, where so many of the problems have a commonality. However, for that system to work, the units must be regarded as local by the population.

Clearly, in the case of Montgomeryshire and Meirionnydd, there is a great groundswell of feeling that the proposed unit is not a unit of local government in the sense in which the people of those two areas regard local government. I suspect that the same thing may well be true in Brecon and Radnor and I recognise that it is true in historic communities such as the Rhondda and, indeed, in areas such as Taff Ely. If people in those areas of Montgomery, Meirionnydd and the Rhondda feel so strongly about their identity and if the proposed unit is the unit of government, the provisions of the new clause should be made available so that those people may have the final word on the structure of local government, or at least on the boundaries of the local government authorities within which they will operate.

Indeed, if the people of Dwyfor or Arfon or any other part of Wales feel that way, such mechanisms should be made available. To achieve any authenticity to the changes that the Secretary of State is putting forward, given the widespread and deeply held feelings that have been expressed, he would be well advised to take up the new clause. If he is not happy with the wording, there is an opportunity to change it in another place, but if we do not put the new clause into the Bill at this stage, that opportunity will be lost.

May I move from the generality of the size of units to the implications of new clause 2, which raises the question of the identification of communities in the new unitary authorities in which they have been placed? There is no doubt that, in many parts of Gwynedd, people in the communities there feel that they should be in an adjacent area.

I have received representations from people in places such as Llanfairfechan and Penmaenmawr who identify with the old Caernarfonshire and the Arfon area. I know that parts of the Conwy valley have expressed similar sentiments. At different times, people in parts of Edeyrnion have expressed similar feelings. Those feelings may or may not be reflected by the relevant community councils. That point was made by the hon. Member for Wrexham (Dr. Marek). He said that the matter should be one for a community meeting rather than simply for a community council so that the grassroots feeling about the proposal could be ascertained.

I hope that the Secretary of State will accept that there are communities, particularly at the southern end of the Aberconwy and Colwyn area, which are very rural. They are Welsh-speaking communities and they identify more closely with the old Caernarfonshire and the type of authority that is likely to come about there than with the seaside towns of Colwyn Bay and Llandudno. I am not making a value judgment about the two areas, but the people I am talking about identify with a different community. They would like to find a mechanism whereby that identity could be recognised.

The Government's response will be that those points may be considered afterwards by boundary commissioners. Once the Bill receives Royal Assent, the proposals will become tablets of stone. Only in very remote circumstances would drastic changes be made. Flexibility should be built into the Bill now.

New clauses 2 and 11 provide the Government with the opportunity to be flexible. If the Government refuse to

[Mr. Dafydd Wigley]

accept the new clauses, it will be impossible to have a structure that is more finely tuned in terms of the new units of unitary government and the borders that allow communities to identify with a particular unitary authority.

For those reasons, my colleagues and I will support the new clauses. Even at this late stage, I urge the Government to find the sensitivity to the wishes of the people of Wales, locally in their communities, that the people certainly deserve.

Mr. Win Griffiths: Just a week ago, I undertook a successful foray into north Wales on a beautiful summer's day. I felt certain that we were going to win that particular seat. At the time, I was travelling through the Mid and West Wales constituency which, I knew from earlier election activity, we were going to win.

As I travelled along, my mood changed from delight to elation as I heard the Secretary of State for Wales speaking on the radio. With regard to the European elections, he said:

> "I am happy to accept the verdict of the electorate. I take them seriously."

I was so amazed by that that I stopped the car to take his words down before I forgot them. I wanted to ensure that I could quote them to him exactly this afternoon.

On that basis, I speak with some confidence today that the Secretary of State, even at this 11th hour and 59th minute, will be prepared to change his mind about the communities of Ewenny, St. Bride's Major and Wick in respect of which I have tabled amendments.

What is the will of those three communities? They have expressed their will in five ways. Ogwr borough council conducted a postal ballot in which 80 per cent. of the people said that they wanted to stay with Bridgend in a turnout of nearly 60 per cent. Some 84 per cent. of the businesses that responded stated that they wanted to stay with Bridgend.

Ogwr and Vale of Glamorgan borough councils organised meetings in each of the communities as a result of which, 93.3 per cent. of those who attended wanted to stay in Bridgend, with only 2.5 per cent. opting for the Vale. The Electoral Reform Society organised a ballot. In Ewenny, 89.7 per cent. voted to stay with Bridgend on a turnout of almost 80 per cent. In St. Bride's Major, 87.8 per cent. voted to stay with Bridgend on a 75 per cent. turnout and in Wick, 81.2 per cent. voted to stay with Bridgend on a 75 per cent. turnout.

Between 175 and 200 people attended the famous—or infamous—public meeting at which the hon. Member for Vale of Glamorgan (Mr. Sweeney) put the case for moving into the Vale of Glamorgan. Although the hon. Gentleman spoke at length in reply to my intervention, he failed to mention the fact that only one person from those three communities at that meeting supported the hon. Gentleman's view. The rest clearly wanted to stay with Bridgend.

Mr. Sweeney: As I made clear in my speech to the House, some members of the public at the meeting were not allowed to vote because they came from the Vale of Glamorgan and not from the constituency of the hon. Member for Bridgend (Mr. Griffiths).

Mr. Griffiths: The three communities should decide their own fate. Even if the people from the Vale of Glamorgan had voted, I hazard a guess that the hon. Member for Vale of Glamorgan would have had difficulty achieving double figures in support of his case.

In the wake of public opinion, it is also interesting to contrast two elections that took place in those communities. The first took place in 1991 before the proposals came to light and the other took place in 1993 after they came to light.

In the borough council elections in 1991, the Labour candidate managed to poll 187 votes while the top Tory received 502 votes. That was before the proposals saw the light of day. In the county council elections in the same area, the Labour candidate received 1,082 votes while the Conservative candidate received 935 votes. That Conservative candidate also supported the case that those three communities should be part of the Bridgend unitary authority.

Mr. Sweeney: Is not it fair to say that there are many different reasons why people vote in elections? If the hon. Gentleman wants to be strictly logical, based on the information that he has provided, it would appear that the Conservative candidate was defeated in the county council elections because that person supported Labour policy on the matter rather than the Government's policy.

Mr. Griffiths: The Labour candidate wanted the communities to remain part of Bridgend. For the first time ever, the seat was won by the Labour party despite the spirited efforts of the Conservative candidate to make it clear that she was totally opposed to her Government's policy and that she would like the areas to remain with Bridgend. In that context, one could argue that 100 per cent. of the voters were opposed to the Government's policy in that area.

The two borough councillors representing the area and living in it are totally opposed to the Government's proposals. My hon. Friends the Members for Wrexham (Dr. Marek) and for Caerphilly (Mr. Davies) mentioned the letter from Councillor David Unwin, the leader of the Conservative group on Ogwr borough council and chairman of one of the community councils involved in the fight. He made clear his total opposition to what the Government are trying to do.

Other people have been involved. Reference has been made to Mr. Trevor Jones, who, as part of his campaign, is not even prepared to spend money in the Vale of Glamorgan any more because he is so disgusted with what the Government are doing. In a letter to the *Western Mail* of 13 June, he says:

> "As a result, my wife and I, and our five children of voting age, will not consider voting Conservative again until the policy is reversed and the people of Wick, St Brides Major and Ewenny are told they are to remain with Bridgend.
>
> The persons who have influenced our decisions are . . . Secretary of State for Wales"

together with the hon. Member for Vale of Glamorgan

> "and other Conservative members of the Standing Committee of the Local Government (Wales) Bill now before Parliament."

5.30 pm

In addition, the three communities publicly made clear their opposition in the *Western Mail*. Very interestingly, a most distinguished former president and chairman of the Bridgend Conservative Association, Mr. Forbes Hayes, also wrote to the *Western Mail*, saying:

> "I write as a life-time resident of the Bridgend area, where I and my family have developed many interests, including substantial industries, and as a strong Conservative, having been

> constituency chairman."

He went on to say that he totally opposes the proposals. On top of that, he rang me in the House of Commons yesterday and said, "Make sure that you tell the House that I will not maintain my membership of the Conservative party, that I will give no more money to the Conservative party, and that I will encourage as many people as I can to do exactly the same unless the proposals are reversed."

It is quite clear that the Government are virtually friendless in those three communities. Of course, the Government have tried to argue why that should be. In the House of Lords, Lord Prys-Davies, speaking for the Opposition, clearly showed how the Government were disingenuous and even deceitful in the notes on clauses. In respect of the communities of Cynwyd and Llandrillo, the Government said:

> "These amendments reflect the weight of representations from the areas concerned".

On Delyn, the notes stated:

> "The decision to amend the White Paper proposals to include in Flintshire the whole of Delyn reflects the overwhelming weight of local opinion".

On Ystradgynlais and Tawe Uchaf, the notes stated:

> "The communities of Ystradgynlais and Tawe Uchaf have been added to Mid-Wales since the White Paper was published in accordance with the strongly expressed wishes of local residents".

In some of those changes, the Government did not even have the evidence of a referendum; they had only letters from community councils. In the case of my three communities, they had other forms of evidence, yet in their notes on clauses they chose only to say:

> "largely rural and agricultural, have more in common with the Vale of Glamorgan authority than with the town of Bridgend and with the industrialised valleys to its north".

The Government should have added, "Even though the overwhelming weight of opinion is to remain with Bridgend, we nevertheless ignore it." That is what the Government are doing.

The Government have argued in letters to me and to my constituents and in the House of Lords that the Vale of Glamorgan is more used to dealing with small rural communities. The truth is that in Ogwr there are six community council areas with smaller populations than that of St. Bride's Major, the biggest of the three communities. In the Vale of Glamorgan, there is only one community with a smaller population than that of St. Bride's Major. The Government also told me in a written answer that they did not know the size of those communities, even though they were writing to tell people that it was because of the preponderance of small communities in the Vale of Glamorgan that they were making the change. The reverse was true.

On the issue of rurality, according to designations for planning, more of the Vale of Glamorgan—20 per cent. —is regarded as a built-up area, whereas the built-up area in Ogwr is just 15.4 per cent. People working in agriculture account for 1 per cent. in Ogwr and just over 1 per cent. in the Vale of Glamorgan. About 20 councillors in Ogwr represent rural areas as opposed to industrial areas, and about 20 councillors represent rural areas in the Vale of Glamorgan. On rurality, there is very little to choose between the two areas.

The Government were forced into arguing about the snow plough from the Vale of Glamorgan going half a mile along the road to clear snow in the community of Wick in Mid Glamorgan. The truth is that that has never happened. Mid Glamorgan always clears snow from roads in Mid Glamorgan in the borough of Ogwr. The only reason that the snow plough from the Vale of Glamorgan goes into Ogwr is in order to find a place to turn around to go back into the Vale of Glamorgan.

Lord Rodger of Earlsferry also said in the other place that some people in those three communities

> "sometimes advertise their houses as being in the Vale"—[*Official Report, House of Lords*, 10 February 1994; Vol. 551, c. 1737.]

—not all, not many but just some—and that that was another good reason to make the change. He also said, rather amazingly, that the communities of St. Bride's Major and Wick were nearer to the community of Colwinston than they were to the community of Bridgend. He could just as easily have said that the community of Colwinston was nearer to Wick and St. Bride's Major than it was to Barry. We are seeing a mirror image of that debate, with the Government totally ignoring the will of the people.

Historically—since 1093—those three communities have been a part of the Bridgend area, and the Government are trying to wrest it from its historical place. As for the geography, those three communities are far closer to Bridgend than to Barry. For some people, it is only a 10-minute walk to the centre of Bridgend. If they tried to walk to Barry, it would take them a day and a half. There are many reasons why the change should be made.

On top of that, there are fears about schools and about the health service. Although to some extent the market could mitigate against some effects, there are problems in both areas.

I hope that the Secretary of State will be true to his words and will be happy to accept the verdict of the electorate and take it seriously by saying today that the three communities will remain with the Bridgend unitary authority.

Dr. Kim Howells (Pontypridd): Like my constituents and my hon. Friend the Member for Rhondda (Mr. Rogers), I, too, can see no logic in the Secretary of State's unwillingness to grant unitary status to Taff Ely. In response to my hon. Friend the Member for Bridgend (Mr. Griffiths), I would point out that when we see a snow plough it is usually because it is lost.

The Secretary of State's decision smacks of inconsistency in terms of the comparison of the size of the districts that are proposed, their populations, the nature and quality of the services offered by district authorities and the history of existing local government structures. I have been among the least enthusiastic of right hon. and hon. Members to see the demise of our county authorities. I do not relish seeing the wider duties which their excellent staff and work forces now fulfil in many areas of public life, from the provision of special needs education to strategic communications, farmed out to much smaller, less powerful authorities and all kinds of dubious proposed joint committees and assorted quangos.

Last Saturday, I attended a fete at the estimable Pentyrch primary and junior school. I spoke to parents of disabled children who have been integrated at no little cost into the mainstream of pupils at that school. Those parents are extremely worried about the implications for their children's education of the proposals for local government reorganisation. Indeed, many people in that village and its neighbour, Gwaelod y Garth, are worried about being delivered lock, stock and barrel from Taff Ely and from Mid Glamorgan into Cardiff. Taff Ely is worried about

[Dr. Kim Howells]

losing Pentyrch and Gwaelod y Garth. We need high-quality, high-value housing located in those communities if we are to attract the managers and executives who are now required by an advanced economy. We need the beautiful rural countryside and the drama of the limestone gorge of the lower Taff valley. They are key assets to our borough. The people of those communities have always been part of the valleys, industrially and culturally; they have never been part of the flat lands of Greater Cardiff.

At least the name Taff has been retained in the proposed title of the new authority, Rhondda, Cynon, Taff. RCT —it sounds like a breakaway from the railwaymen's union. But the Ely component of Taff Ely has disappeared completely—as though the communities of Tonyrefail, Coedely, Llantrisant and Pontyclun have been beamed up at the request of some Vulcan warlord. It has taken 20 years to integrate the old districts of the Taff valley, such as the town of Pontypridd, with those of the Ely valley. Now that Taff Ely thinks of itself as a viable administrative entity, it is about to be subsumed into this proposed triple alliance.

The citizens in my constituency view the Secretary of State's proposals with mistrust. They want much greater assurances about the future integrity and security of their health, education and welfare services before they accept the proposals as a blueprint for the sort of future to which they aspire.

Mr. Denzil Davies (Llanelli): I shall be brief. I merely endorse what my right hon. and learned Friend the Member for Aberavon (Mr. Morris) said when he argued the case for Port Talbot and what my hon. Friend the Member for Neath (Mr. Hain) will say when he argues the case for Neath. I was able to put the case for Llanelli. As Lord Howe pointed out in another place, Llanelli, Port Talbot and Neath are the same kind of communities. All of them still have an industrial base. About 30 per cent. of the people of Llanelli work in what is described as productive industry; I imagine that the figures for Port Talbot and Neath are about the same.

My right hon. and learned Friend argued the case for Port Talbot in the House; he was not able to argue the case in Committee because he was not a member. When I argued the case for Llanelli, I believe that, together with those on the Labour Front Bench, I won the argument, but we lost the vote by one. The arguments that have been made in the House today are the same as those that were made in Committee.

Neath and Port Talbot are put together as two industrialised communities. The concern in Llanelli is that, because it is an industrialised community, it will be subsumed in a greater Carmarthenshire, which is a large agricultural and rural area. That is not to say that there is anything wrong with rural areas, but their problems are quite different, as we discussed in Committee.

As the Minister knows well, there is real concern that projects such as the regeneration of south Llanelli and the redevelopment of the Llanelli town centre will be hindered and put back as a result of the reorganisation. I ask the Secretary of State again at this late stage to reconsider the case for Llanelli—just as my hon. Friend the Member for Neath will argue for Neath and just as my right hon. and learned Friend the Member for Aberavon argued for his constituency—because of the industrial character of the Llanelli constituency.

Mr. Peter Hain (Neath): My right hon. and learned Friend the Member for Aberavon (Mr. Morris) put with great eloquence the case for keeping Port Talbot as a separate institution. The amendments that he has tabled, and which I support, would achieve that objective and leave Neath standing free, together with upper Lliw. That is a much more logical alternative to the spatchcock proposal put forward by the Secretary of State.

I shall make several brief points. First, there is real anger in Neath at the Government's failure to listen to local wishes—they have been expressed unanimously, even by local Conservatives—as regards the retention of Neath as a separate borough. That unanimous opinion, which has been measured in opinion polls and surveys—and, indeed, in the submissions made to the Secretary of State on this matter—has been completely ignored and trampled on.

There is real anger, too, about the hypocrisy of English Tories who will vote tonight completely to ignore the wishes of communities in Wales while they are objecting to the Government's proposals for similar local government reform in England. Four members of the Committee—the hon. Members for Taunton (Mr. Nicholson), for Bosworth (Mr. Tredinnick), for Plymouth, Sutton (Mr. Streeter) and for Halesowen and Stourbridge (Mr. Hawksley)—are on record as criticising or flatly opposing the Government's proposals for their own communities in England, but they are completely ignoring the wishes of local people in Wales.

Another individual whose action has been greeted with anger in Neath is the hon. Member for Brecon and Radnor (Mr. Evans), who asked for and received the support of the Labour Members on the Committee. He supports the retention of autonomy in the communities within Powys in a separately identifiable sense but refuses to support that same principle with regard to Neath, Port Talbot, Rhondda, Taff and the other communities that have been identified. The logic of the principle applies equally to those communities.

The Secretary of State completely failed to mention the fact that Neath is second only to Cardiff as the longest-standing and most historic borough in Wales. That has been ignored. I pay tribute to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) for the way in which he, together with my hon. Friend the Member for Blaenau Gwent (Mr. Smith), achieved separate authorities for those areas. There is no logical reason why, if those areas have been granted separate status as unitary authorities, Neath could not have been as well.

5.45 pm

There is a serious point underlying all these boundary questions. Local authorities are vital mechanisms for acquiring and reproducing democratic legitimacy for local people in their structures of government. Last week, the miserable turnout in the European Union elections showed how little legitimacy those institutions have among the people of this country and, indeed, the whole of western Europe. If we have artificial communities which have no serious common interests—in the case of Neath and Port Talbot, there is a lot of traditional and historic rivalry—and which are forced together, we cease to have the legitimacy on which democracy is built. These communities are proud; that is why their democracies thrive locally. The Secretary of State has completely failed to recognise that in his proposals.

Mr. Llew Smith: I shall be brief because the question of Llanelli dominated the debate in Committee. Indeed, some hon. Members have suggested that the title of the Bill should be changed from the Local Government (Wales) Bill to the Local Government (Llanelli Community) Bill.

The original proposal was that the Llanelli community should be part of Powys. That was crazy because, as I emphasised in Committee, that would mean that local councillors attending meetings during the week would be away from home for six days. Even the Government recognised that that was not on. As a result of the campaign conducted by the borough council, the community council and the local people, the Government backed down.

The local people are now asking for a say in determining their destiny in response to the Government's decision that Llanelli community should be part of the borough of Monmouth. What I am doing is expressing the feelings of the local community. If I were speaking in terms of party political advantage, I would be supporting the Government's proposals, because, if the Llanelli community went into the borough of Monmouth, both the borough of Monmouth and the Monmouth constituency would be Labour controlled after the next local and general elections. While we obviously welcome that, we are still willing to put aside party advantage and express the wishes of the people.

The people of Llanelli wish to be part of Blaenau Gwent because of the history and traditions of the community. They are mainly employed in the coal and steel industries, as are the people in the borough of Blaenau Gwent. The people of Llanelli wish to be part of the borough of Blaenau Gwent because housing, environmental health and financial services are only three miles away from their little community. They wish to be part of the borough of Blaenau Gwent because Blaenau Gwent has objective 2 status and previously had development area status. Obviously, they want to be part of that. Indeed, not long ago the Government recognised that they should have been part of it.

We are saying that we have to create local government boundaries in such a way that local people can relate to the decision makers and feel they have some control over them. If the Llanelli community becomes part of Blaenau Gwent, people will feel that they have some say in their destiny. If the Government insist that it should go to Monmouth, they will no longer get that feeling: they will become divorced from local government decision making and will be dejected as a result.

Mr. Roger Evans: I am driven to rise to my feet as a result of the speech made by the hon. Member for Blaenau Gwent (Mr. Smith). It may have escaped the notice of some hon. Members that I represent Llanelly Hill in Parliament. I presented a petition signed by 1,900 out of nearly 3,000 electors expressing a preference for being in Monmouthshire. The hon. Gentleman seems to have forgotten the fact that Blaenau Gwent lost the referendum in Llanelly Hill and that Monmouthshire won it. I know that there can be all sorts of explanations when opinion polls or referendums do not meet the purposes for which they were devised—

Mr. Llew Smith *rose*—

Mr. Evans: I shall not give way because I am going to sit down. The Government should be congratulated on recognising the majority sentiments in Llanelly Hill.

Mr. Redwood: After three years of consulting, weeks in Committee and full debates in the House and the other place, Labour has come back with a half-baked proposal that would throw Welsh local government back into chaos and uncertainty. The House would not know how things might end up. Staff of local authorities would have to suffer further delays before knowing the final shape of Welsh local government. They would be far from happy should Labour succeed in winning the vote on the new clause and we oppose it strongly on that and other grounds.

The hon. Members for Rhondda (Mr. Rogers) and for Neath (Mr. Hain), the right hon. Member for Llanelli (Mr. Davies) and those representing Taff Ely and Port Talbot talked of their wishes for their communities to have separate councils. I understand their passion and their advocacy, but they must understand that a balance has to be struck between community identity, which is very strong in many of the communities of Wales—communities far smaller than those represented tonight in this debate—and cost and service delivery issues, which are also important.

Had we come before the House with proposals for many more councils, Opposition Members would, I am sure, have made great play of the extra costs and staff involved and the problems of delivering certain services. As it was, they made enough play of some of those.

Mr. Win Griffiths: Before the Secretary of State goes further, can he explain the logic of dividing Merthyr and Blaenau Gwent and putting together Rhondda, Cynon and Taff Ely?

Mr. Redwood: In each case, where one should draw the line is a difficult judgment. I decided that the separate history and former status of Merthyr, which is different from that of the other boroughs that the hon. Member for Bridgend (Mr. Griffiths) mentioned, were sufficient reason, given its size and the other considerations brought to my attention. That was the judgment that I put before the House and that Ministers put in Committee.

A judgment has to be made in each case. Wherever we draw the line, people will say that we have drawn it in the wrong place. They will say, "Why can't I have my local community, with a separate unitary council?" or "Why have you so many local councils? Won't it be too expensive? Wouldn't it be better to have bigger ones to deliver the services?" We have to find that balance, which is what we are recommending to the House.

Clause 6 of the Bill and section 55 of the Local Government Act 1972 contain provisions for the Local Government Boundary Commission for Wales to undertake an initial review of the electoral arrangements of all the new unitary authorities as soon as possible after the first elections and of those boundaries where anomalies are thought to remain.

I hope that Opposition Members will recognise that the boundary commission is an objective body, which can take a dispassionate view of any outstanding issues. We believe that we have the structure right and we are recommending it to the House.

Mr. Win Griffiths: Is the Secretary of State saying that the boundary commission could consider the three communities that he seems determined to take out of Bridgend and decide to put them back?

Mr. Redwood: The boundary commission can come to its own conclusions within its terms of reference. Those terms enable it to review boundaries where it thinks that it needs to suggest an alternative proposal.

I want to clear up some of the arguments of the hon. and learned Member for Montgomery (Mr. Carlile). He was right to say that there had been representations to the Welsh Office for an independent Montgomery. He omitted to mention the fact that similar representations had been made in favour of a maintained Powys. He made no mention of the shire committee proposals which I introduced to balance community identity with service delivery.

The hon. and learned Member for Montgomery is wrong in his general allegations. He knows that they are wrong and he should withdraw them. If he is interested in my views at the time that I was Minister for Local Government and Inner Cities, he should look at the public record. I have managed to procure a copy of my main speech on the subject in October 1992—just before the time when he purports to represent my views—at a party conference. It was a clear statement of my views. I said that the purpose of the review in England was not to carve the country up into a certain number of administrative units of a given size, whatever peoples' feelings and wishes. I went on to say:

> "In 1973 they decided the county of Rutland should be abolished because it was too small, but then they invented the county of the Isle of Wight, which was smaller than their model."

I specifically said:

> "Somerset, Herefordshire, Rutland, Huntingdonshire, the Ridings of Yorkshire, if you want your past to become your future say so and your wish can be granted."

I think that my hon. Friend the Member for Rutland and Melton (Mr. Duncan) would confirm that I was always very sympathetic to the case that he was making.

Mr. Alex Carlile: First, does the Secretary of State recognise that his shire committee proposals, as they appear in the amendments tonight, contain no financial guarantees for shire committees? Why is that so?

On his second point, if the right hon. Gentleman claims that he was, and remains, in favour of small unitary authorities such as Rutland and Huntingdonshire, why is he not in favour of small unitary authorities such as Montgomeryshire or Meirionnyddshire? Where is the logic in what he is saying? Let him tell the House how the Government changed their mind between early January 1993 and 1 March 1993. What were the reasons for that change of mind and who influenced it?

Mr. Redwood: The reasons for the new approach were set out by the former Secretary of State for Wales, my right hon. Friend the Member for Wirral, West (Mr. Hunt). The hon. and learned Gentleman has been here long enough to know that no Government—Labour, Liberal or Conservative—ever make available internal minutes or correspondence between colleagues when they are reaching judgments that they then come to the House to defend.

I am not going to tell the hon. and learned Gentleman who intervened on what occasion in the debate. I can give him a strong promise and guarantee that I had my views, which I expressed at the time in public, on English local government reform. His allegations are untrue and he should withdraw them. I hope that, on reflection, he will do so. He did not produce a shred of evidence to support the contention that I intervened and caused a change of heart. Will he think again about the allegation? Does he seriously suggest that a Minister of State in an English Department can instruct a Secretary of State for Wales without recourse to the Cabinet and collective discussion? He is living in cloud cuckoo land in suggesting that.

Mr. Alex Carlile: I told the Secretary of State that I would be perfectly prepared to withdraw my allegation if we were told who was responsible for the change of mind. Does he deny that pressure was put on the Welsh Office by Ministers who were not Welsh Office Ministers to change its mind?

Mr. Redwood: I do not intend to reproduce debates in the Government at that time. The decision was made by the Government. The then Secretary of State for Wales was happy with it. The proposals were his, he presented and defended them, and I have carried them on, with some modifications of which the hon. and learned Gentleman is well aware. He knows that those modifications included certain boundary changes, to reflect the wishes of communities and the consultation evidence that we received and the introduction of more local identity through shire committees and—the biggest change of all—of an independent Merthyr.

Mr. Win Griffiths *rose*—

Mr. Redwood: I do not have time to give way. We must wrap up this debate so that we can get on to the other important business, which I know that Opposition Members want to discuss.

I am glad to see the hon. Member for Caerphilly (Mr. Davies) in his place because he talked a great deal about the importance of democracy, and I entirely agree. I was interested, therefore, to receive a letter from Russell Goodway, the leader of South Glamorgan county council, urging me to support the hon. Gentleman's proposal. I find Mr. Goodway's view of democracy, as reported in the *South Wales Echo*, quite astonishing. The South Glamorgan leader is reported to have said:

> "The Tories promised cuts in public spending, so it seems to me that people who voted for those cuts should get them. That's democratic in my view."

I phoned Mr. Goodway to tell him that I was going to mention this, and he claimed that he was misreported. I hope that the hon. Member for Caerphilly will make it clear in the next debate that when he stands for democracy, he stands strongly behind the idea that anyone who is elected has to be fair in the interests of all constituents, and that includes being fair to Conservative wards in Labour-controlled councils. I hope that the hon. Gentleman will dissociate himself from Mr. Goodway's view.

6 pm

Mr. Ron Davies: I assure the Secretary of State that I would deplore any proposition that any local authority, or Government for that matter, seeks to use the financial resources at its disposal to reward people of its own persuasion.

I shall put the record straight, however. The precise words used by Russell Goodway were:

> "It is very difficult to understand those people who vote for a Government that is committed to reducing the resources necessary to deliver services then expecting councils to have money, in other words when they vote they have been expecting cuts in services."

The quotes attributed to him were quite inaccurate.

Mr. Redwood: I am glad to hear that particular interpretation of Mr. Goodway's remarks. None the less, the remarks are a little less than edifying from one who tries to represent a large and important area of Wales. It is small step from what the hon. Gentleman reports to the remarks which the newspaper claims were made. *[Interruption.]* I accept the point made by the hon. Gentleman. I told the House that Mr. Goodway claimed that he was misreported, and there I shall leave the matter. [HON. MEMBERS: "Withdraw."] I am sure that my hon. Friends will be interested in that statement, and in the reformulation of it which has clarified the record.

Mr. Rogers: On a point of order, Mr. Deputy Speaker. Is it in order for the Secretary of State to criticise a person in such an appalling way and, when corrected, not even to have the grace to withdraw?

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): The Secretary of State is responsible for his own speech.

Mr. Redwood: I contacted Mr. Goodway, who knew I was making the remarks. I did say that he thought that he had been misreported.

My hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney) dealt effectively with the points of the hon. Member for Bridgend on the communities. He made out a very good case for the three communities being part of the Vale, and he clearly disproved the idea that he was motivated by parliamentary electoral considerations.

My hon. Friend the Member for Monmouth (Mr. Evans) also made a good point about the community of Llanelly Hill. Some Opposition Members have not quite grasped the importance of the measure which we have tabled tonight.

The proposal shows that we have listened in a large number of places to community representations. We have come to a good judgment on how Wales can go forward to a strong system of unitary authorities. I hope that, once the debates are over, Opposition Members will encourage their party colleagues to make a great success of this new system of local government for Wales. It is full of opportunity, and I want it to succeed.

Dr. Marek: We have had a thorough, and thoroughly unsatisfactory, debate. It is all very well for the Secretary of State to say that, once all the arguments are behind us, we should try to make a success of it. He is right in that. We must try to make a success of whatever system of local government we have.

It is right to remind the House that the wishes of the overwhelming majority of the people of Montgomery and Meirionnydd have been disregarded and thrown away. The balance is right according to the Secretary of State, but it is completely wrong according to the people of Montgomery and Meirionnydd.

Mr. Rogers: And of Rhondda.

Dr. Marek: My hon. Friend is right. For the people of Llangollen, the result was clear in the referendum.

The balance is wrong. It might be right for the Conservative party, but it is not right for the people of Wales. We must wait for the Local Government Boundary Commission to deal with the communities. No doubt it will put the matters right, because it is not motivated by political survival.

We must also wait for another Government, and a change of Government, before the serious matters are put right. It is my hope and conviction that we will not have to wait long. The Conservative party is now in third place in Wales and it is likely to stay there. [HON. MEMBERS: "Fourth place."] My hon. Friends say that it is in fourth place and, after what we have had to put up with and listen to this afternoon, it will stay there.

At the next election, we will have a Labour Government and all the Opposition parties will be united on the matter. We shall put the map of Wales right and listen to the people, whereas the Tory Government are concerned only with colonial administration from London.

Question put and negatived.

New clause 11

REFERENDUM ON BOUNDARIES (No. 2)

'(1) If, by resolution, the council of any district existing at the time this Act receives Royal Assent so requests, the Secretary of State shall, before appointing a day for the coming into force of Section 1 of and Schedule 1 to this Act, prepare a scheme for the conduct of a referendum to be held within the area of any such district council.

(2) A referendum under subsection (1) above shall be for the purpose of determining whether the local government electors of the district are satisfied with the provisions of Schedule 1 to this Act so far as they affect the boundaries of any local government area for which they are electors.

(3) Where it appears to the Secretary of State from the result of any referendum held under subsection (1) above that a majority of the electors of any district do not approve of any change in boundaries affecting that district which would result from the provisions of Schedule 1 to this Act, he may by order made by statutory instrument make any modification to that Schedule which he considers will reflect the result of the referendum; and any such order shall be laid before both Houses of Parliament and be subject to annulment in pursuance of a resolution of either House.'.—*[Mr. Ron Davies.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 246, Noes 277.

Division No. 260] **[6.05 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin

Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
Garrett, John
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Happell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Jackson, Glenda *(H'stead)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Peter *(Belfast E)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tipping, Paddy
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Alan Meale.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cartiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawksley, Warren
Hayes, Jerry

Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip

Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Rt Hon John D. *(Strgfd)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macc'f'ld)*
Wolfson, Mark

Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Bowen Wells and
Mr. Sydney Chapman.

Question accordingly negatived.

New clause 1

FUNCTIONS OF THE PRINCIPALITY AS A LOCAL GOVERNMENT AREA

'.—(1) There shall be established on 1st April 1996 a council for the principality of Wales, to be known as the Welsh Assembly ("The Assembly").

(2) The Assembly shall perform strategic functions for the principality in so far as they are relevant to the local government of Wales.

(3) The Assembly may do anything it considers necessary to—

(a) facilitate the co-ordination of administration of local government in Wales, and

(b) promote greater co-operation between the Welsh local authorities and public agencies and voluntary organisations in Wales.

(4) The Assembly shall represent the interests and views of Welsh local authorities collectively in the relevant institutions of the European Union.

(5) The Secretary of State shall consult the Assembly on all matters affecting local government and local and regional interests in Wales.

(6) The Assembly shall have power to appoint such officers as it thinks necessary for the proper discharge of its functions, on such reasonable terms and conditions, including terms as to remuneration, as it thinks fit.'.—*[Mr. Morgan.]*

Brought up, and read the First time.

Mr. Rhodri Morgan (Cardiff, West): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss also amendment No. 6, in clause 1, page 1, line 12, at end insert—

'(aa) the principality of Wales; and'.

Mr. Morgan: It is a pleasure to move the new clause, with its tiny consequential amendment. I hope that the debate will be fairly brief but extremely vigorous on this important topic of how a Welsh assembly fits into the Bill.

The new clause seeks to develop British democracy. Britain is a unitary state but with interesting ragged edges such as Wales, Scotland and, since the 1920s, Northern Ireland. The new clause recognises the special needs of Wales, Scotland and Northern Ireland.

Mr. Deputy Speaker: Order. I am having great difficulty in hearing what the hon. Gentleman has to say. Although only a few Members are in the Chamber, there is quite a buzz.

Mr. Morgan: I am grateful for your protection of my still, small voice, Mr. Deputy Speaker. I hope that we shall have the necessary co-operation from all those who are genuinely interested in this interesting debate.

The problem is that, since the 1880s in the case of the Scottish Office and the 1960s in the case of the Welsh Office, there has been administrative devolution. The 1980s saw further administrative devolution, with powers frequently taken away from local government and transferred to unelected quangos. People who have been defeated in a democratic contest by the electorate of Wales are often able to re-enter politics in an anti-democratic way by being made chairmen and chairwomen of quangos that take over the functions of local government.Thus the continuously moving target of devolution and democratic

[Mr. Morgan]

change in the past 16 years has, unfortunately, been largely undemocratic. Many previously democratically controlled functions have been quango-ised. In urban regeneration, housing and education, quangos have been set up to carry out functions that were previously carried out by democratic local government.

The people of Wales do not like that and regard it as creating a democratic deficit. They do not trust the Government or Secretaries of State who—with the exception of the then right hon. Member for Pembroke, now Lord Crickhowell—do not come from Wales. We have had four Secretaries of State since 1979, two of whom —including the present one—were closely connected with the Rothschild empire, and two of whom were closely connected with Lloyd's of London. Their experiences are millions of light years away from those of the average person who votes in Welsh elections. As a result, the Welsh electorate kicks back against the Government. It is fair to say that in last week's elections the Tories reaped the whirlwind for their contempt of the Welsh people. The Welsh people are looking for a bastion to protect them against the continual loss of democratic control over the functions of local government. The new clause attempts to solve that problem and to put right the democratic deficit that has built up in Wales since 1979.

Last week, the Tories reaped the whirlwind in the same way as the Canadian rugby team did by making various solicitous remarks about the Welsh and saying that in-breeding catches up with people in the end. The Welsh coach had merely to pin that remark on the Welsh changing-room wall for the team emerge on to the field like whirling dervishes and take Canada apart up front. We all saw the result of that. The last 15 years of Tory Government have been like pinning a notice on the changing room wall saying what the Tories thought of Wales and showing the contempt with which Wales is treated in a democratic sense. The result of the European elections last week was similar to the drubbing given to the Canadian rugby team. If Wales is treated with contempt, it will kick back.

The new clause attempts to interpret the views of the people of Wales, who want an assembly so that they cannot be mucked about by a Tory Government, as they have been over the past 15 years. An assembly would enable the functions of quangos, which have taken over so many local government functions, to be controlled democratically. A voice would be given to the people of Wales, enabling the functions of local government to be co-ordinated. In the context of the Bill, an assembly would alter how we decide all the issues that we discussed under new clauses 2 and 11.

Strategic functions could be carried out by an all-Wales tier, which would determine how big a local authority must be to deliver viable local services and provide a local identification. In the last debate, the Secretary of State was keen to refer to the figure of 20 local authorities. An all-Wales tier would mean that a different number could be chosen. The system would not have to be undemocratic, as it is now. That could be done without worsening the problem of the democratic deficit.

The entire proceedings through which the Bill has passed so far have been anti-democratic. The Standing Committee was packed with non-Welsh Members, the transfer of powers incorporated and hon. Members such as the hon. Member for Milton Keynes, South-West (Mr. Legg), the great expert on gerrymandering from Westminster, put on the Committee to act as a silent voter without participating in the proceedings. The Government's attempt at gerrymandering failed because they could not get the Bill through in time.

All those measures have worsened the democratic deficit from which Wales suffers. The people of Wales are looking to this House today to express, on behalf of all hon. Members—not just those on the Committee—what Wales needs most: local government reform, but with a strategic overview of matters in Wales. That should be provided not solely by the Welsh Office or all-Wales quangos funded by the Welsh Office. The Bill will make that problem worse as a result of the way in which the Secretary of State has handled it. In many ways, what has happened in Wales in the past 15 years has been much worse than what has happened in Westminster. Westminster tried to export Labour voters to adjoining boroughs, but in Wales when the Government lose local authority elections to Opposition parties—overwhelmingly Labour, but not always—they tend to say, "If people are going to keep voting Labour, we shall transfer functions out of local government, and thus out of the purview of the Bill, and put them under the control of appointed, patronage-based quangos directly funded by the Welsh Office." How do those quangos know what the people of Wales think?

If the Government were to accept the new clause, they would show that, despite the contempt that they have shown for Welsh people's views over the past 15 years, and the widening of the chasm between the political views of the Welsh people, shown in the European elections last week when the Conservatives dropped to third place— there is evidence that it will widen further at the next general election—they were willing to make a gesture to the Welsh people. Wales needs a defence mechanism against the depredations of successive Tory Governments. Given Tory Governments' lack of sympathy for the people of Wales and the countervailing lack of sympathy among the Welsh people for the Tory Governments who have ruled over them, the Government could say, "Let's establish a Welsh Assembly and make this country's constitution more workable."

A Welsh Assembly would act as a bit of oil in the wheels of the inevitable crunching that is now occurring between the Government and the people of Wales, who gave just 14.5 per cent. of their votes to the Tory party last week. One can see the dangers to this country's constitution when the Tories are faced with almost a wipe-out in Wales. That is why I am hoping against hope that we shall hear from the Secretary of State tonight that he is willing to listen to the views of the people of Wales. I hope that he will not regard himself as the equivalent, as Secretary of State, of all those Tory party candidates who are often sent to the valleys after doing a couple of years in Oxford and a couple of years as Guards officers and want to come to this place with a safe Tory seat but are told, "You have to try for a seat in the valleys first." We do not want the Secretary of State to regard the apprenticeship in Wales as something that he has to do for a couple of years before he is given a Cabinet job back in mainstream English politics.

Above all, the new clause would provide us with a guarantee. We do not want any more discrimination between, for example, the treatment of Rutland and Huntingdon in England and that of Montgomery, Port

Talbot, Llanelli, the Rhondda and all the other authorities in Wales. That is the problem—that contempt for the people of Wales—to which new clause 1 would provide the solution.

6.30 pm

Mr. Roger Evans: I rise briefly because I was trying to intervene but missed my opportunity. From the passionate speech that we have just heard, one might have thought that the new clause was a proposal for a Welsh Parliament with real powers. It is typical—

Mr. Ieuan Wyn Jones (Ynys Môn): Hear, Hear.

Mr. Evans: I hear a sedentary objection from the nationalist Bench, because what the new clause proposes is extraordinarily different from the type of proposition that I suspect that the occupants of the nationalist Bench would want. This body is a super Welsh local authority at its most. It has no legislative or law-making powers. It has no taxation-raising powers. It has the most limited powers of expenditure. It is an attempt to create a quango-control body, but, at most, it is a modest and irrelevant extra layer which would achieve nothing and would simply disappoint those people who want a Welsh Parliament, to which my electors in Monmouthshire are firmly opposed.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): One of the numerous joys of serving on a Standing Committee is that during the debates or discussions one's mind either becomes clarified or more muddled or one at least starts to gain an impression of the way in which a piece of legislation will ultimately work. I will tell the Secretary of State, who did not share the joy of serving on the Standing Committee, of the impression that was left on me about certain aspects of the Bill and the way in which it relates to the new clause that we propose.

I gained the clear impression, as we went through the debate—there was not especially a party divide about it —that there genuinely were areas of local government administration and policy making which would not fit easily into a unitary authority structure. One thinks of strategic issues, especially in regard to mental health, child abuse, certain aspects of social services, strategic roads and planning aspects, which had been primarily a county function and which—I do not complain because I am pleased with some aspects of the pattern of unitary authorities that has emerged in relation to my area— unitary authorities of considerably varying sizes will have to try to deliver.

As the debates progressed through the various clauses, I do not know whether other hon. Members—or the hon. Member for Monmouth (Mr. Evans), who was the most assiduous attender of the Committee and listened patiently in many cases to hours and hours of debate—were left with the impression that the sectors of trading standards, fire, services, roads, strategic planning and some social services functions, especially in relation to mental health and child abuse and so on, which had been county responsibilities, would not necessarily fit properly and easily into the pattern of unitary authority structure that we had proposed. As a result, it emerged that we would have a patchwork of possible alternative solutions to what was a county function—lead authorities, joint boards of one type or another—to deliver some of those services which do not fit into the pattern of unitary authorities of varying size; a sort of limbo-land democracy.

I do not like—I know that the Opposition have tended to recommend it frequently—the form of delegated democracy that occurs when it is decided that county or district councils will serve on this organisation or that body, to try to give an impression of a democratic body. I find that that type of delegated democracy—limbo-land democracy—does not work because in a sense people do not recognise the delegated member to be directly responsible to the community, as he or she would be if serving on the local authority or, as I would suggest, sitting in a Welsh assembly.

If one believes in democracy, democracy does not come cheap. No one is saying that it does. Democracy is more expensive. It is more expensive in administration. Consider the sheer amount of time that Whitehall spends trying to manage this place. I know that from my ministerial experience. This morning, I was watching the Foreign Secretary in the Select Committee on Foreign Affairs. He had a large pile of files with him. He had spent, rightly and understandably, an enormous amount of time trying to anticipate every conceivable question that we might ask. So democracy does not come cheap, even in the present system.

We should not argue about the cost, therefore, but about whether an organisation is a valid instrument of democracy. I suggest that, as a result of all the changes that are occurring, some aspects of policy will not fit easily into the unitary authority pattern. Eventually, policy making and major decisions about resources will gradually drift back into the Welsh Office. The Welsh Office will need to shape those policies and will gradually take over and assume the strategic policy thinking in many of those sectors that lay with the county, but will now lie with either joint boards or lead authorities. I know that it will not necessarily be deliberately intended, but I think that the process will gradually return to the Welsh Office.

As a result, I think that the Welsh Office and the Secretary of State will become more powerful as a result of the Bill even than hitherto. When one considers the way in which, I am sorry to say, this place handles vital, fantastic issues of Welsh concern to us, we ought honestly to be appalled with ourselves and with the system. There were many quality contributions to this morning's debate, but what a truncated debate it was on an issue of profound concern to so many members of our community.

I was reading the preface to the Secretary of State's preface to the public expenditure White Paper produced by his Department—it was better presented than ever before and more interesting than ever before—stating powerfully just what a huge sum of money he has in his gift and responsibility. How much does this place analyse and scrutinise expenditure of that type? In spite of the invaluable work by my hon. Friend the Member for Gower (Mr. Wardell) and the Select Committee on Welsh Affairs, how much time do we spend on what is now one of the biggest collective spending Departments, with a fantastic range of functions, right across the board—quite rightly so? We all support it. We set it up and it has been built on and developed since. How much time and energy do we put into it?

I shall give an illustration to make the point. How much time and energy will the House spend on something that will shape the education of all our children in the years to come? How many debates will we have about the national curriculum proposals that are being published? Let us take as an example the document that I hold in my hand, the

[Mr. Ted Rowlands]

proposals for the national syllabus for history. They will eventually be put before us in a series of orders. We may possibly have a prayer, at some unearthly hour in the day or night, to discuss one or more of those.

The documents containing the national curriculum proposals will shape the education that is provided in our schools for a decade and more. In that document—the one that I was especially interested in—it is proposed, as I understand it, that no young person or child will learn about Welsh history after 1918. Are we to nod such proposals through? That is what is in the document. History stops in 1918. One thinks of the events of the 1930s, the 1940s and the 1950s, which shaped the critical social economic consciousness of our society, and shaped politics and social attitudes. Yet as I read that document, history after 1918 will not be taught in our schools. How much time and energy will be spent in the House debating matters of such profound concern as that? I have picked up only one of those syllabuses; there are others.

I know that the proposals will be subject to consultation and that we can make written representations. I have already done so in this case to the Secretary of State. Nevertheless, those issues should be debated openly. That is the very meat and drink of democratic political decision making.

I support unitary authorities, but I fear that some aspects of policy making which are dealt with at county level now will drift up to the Welsh Office, thereby enhancing its powers and those of the Secretary of State. I know that the Government will deny that, but, having heard the debate in Committee, I know that it is what will happen. And when it happens, hon. Members will find that we will not give it the necessary scrutiny. We will not find time in this place to discuss all the changes. This House is becoming more and more impatient, given all the European stuff that it has to consider.

I have two final points for the Secretary of State. Whatever happened to the grand debate, promised at Cardiff in a speech on 8 March 1993, to be initiated by the right hon. Gentleman's predecessor? What has become of the revamping of the Government's counter-proposals to a Welsh democratic assembly? What happened to their promise to revamp the handling of Welsh affairs in this place? There has not been a single proposal since March 1993—although I do not know whether the usual channels have been working behind the scenes. I note that some of those involved—in Plaid Cymru—shake their heads. What has happened to the famous Hunt revamping proposal, which the current incumbent may now wish to deny knowledge of?

Anyone who knows his British history will recall that the Conservative party has been a great national party. It is, after all, the party of Peel and Disraeli, of Baldwin and Macmillan and occasionally—he was in and out—of Churchill. After the results of the past weekend, that great national party has become a regional and peculiarly English party. I never thought in my lifetime to see the Conservative party—even in my constituency it had hitherto always managed to get out its core vote of 25 or 30 per cent.—reduced to 14 per cent. of the vote.

That being so, the Secretary of State should ask himself what moral legitimacy he exercises when he rejects our demands for democratic accountability for the decisions that he, among others, will make, and for the powers he exercises that will be enhanced by this Bill. I do not expect the right hon. Gentleman to reply favourably this evening, but I hope that he will begin to think again about his legitimacy when saying no to the demands from Wales.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Apart from the sniping aimed by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) at my colleagues just now, I agreed entirely with everything he said. I spent six weeks in the Standing Committee, where we discussed scrutiny, and I am adamant that the hon. Gentleman is correct. There is not enough time to deal with Welsh legislation in the set-up that we have here.

We have notes on clauses comprising three sentences although they deal with highly complex strings of clauses. We should not be expected to nod such clauses through, but I am afraid that that is precisely what happened on some days in the Committee.

The fact that we have to compress a debate about the democratic process in Wales and the need for an accountable all-Wales forum into the few minutes that we have today serves to underline the need for a strengthened and better democratic procedure for the government of Wales. Plaid Cymru does not shy away from the fact that we need a full Welsh Parliament with legislative and tax-raising powers. Some Conservatives believe that we try to conceal that, but it is the very reason for our being. We do not deny it, and it is why we are here.

The new clause, however, represents a great step forward in the democratisation of the unfortunate process of government in Wales. A similar amendment was debated at length in another place and was defeated by only eight votes. Their lordships are not known for their radicalism, but even they realise the need for urgent and real change. Here we have the vehicle for such change.

Mr. Ieuan Wyn Jones: My hon. Friend referred to the debate in another place. Did he find it as remarkable as I did that many of the participants in that debate originally opposed any moves towards devolution and decentralisation in Wales, but that they have been convinced by 15 years of Conservative Government?

Mr. Llwyd: Not surprisingly, I agree entirely with my hon. Friend—I was coming to that very point. Earlier, the hon. Member for Brecon and Radnor (Mr. Evans) said that there had been a referendum in 1979 so the matter had been decided once and for all. But many things have changed in the past 15 years. We have been subjected to a Government whom 85 per cent. of the electorate of Wales rejected at the last election and whom a far higher percentage rejected a few days ago.

6.45 pm

I think that it was Harold Wilson who said that a week is a long time in politics. Certainly, 16 years of Tory misrule is a hellish long time. Were there to be a referendum today on this subject, there would be no doubt at all of the answer, as I am sure all Opposition Members will agree.

It is also preposterous to suggest that because there was a referendum in 1979 there should never be one again. That is an abomination. If it is true, why do we have votes on capital punishment so regularly? The issue has been decided time and again, yet I have no doubt that there will be future votes on it. Why should not the same apply to the subject of the government of Wales?

We in Wales need an all-Wales forum, for several reasons. We are a proud people. We want to play our true part in the development of the new European scene. Other historical regions, such as Catalonia, are enjoying a great measure of success. It is lucky that the Minister of State has just re-entered the Chamber; he has been to Catalonia on trade visits and knows that it is doing very well. The Catalans have a large measure of autonomy within the Spanish system. They can deal with their affairs on a European level: we cannot. We have to have our thoughts filtered through the enervating process which is Westminster. The corollary is that funding intended for Wales which comes through this enervating channel used to be stopped at source, until that was put right some time ago. The additionality argument has shown the great disincentives for Wales under the present system.

I think that Opposition Members to a man will agree that the current set-up is over-centralised to a ridiculous degree. In this Parliament, we have witnessed a tendency that runs contrary to everything happening in mainland Europe. I have referred to it before and I shall do so briefly again. The Governor of Hong Kong recently said:

> "We have to re-examine our understanding of the division of political power in the UK. I think we have become absurdly over-centralised. It was a great mistake of the 1980s, and I speak as one of those who made the mistake."

So even the Governor of Hong Kong, who is not averse to the political thinking of the Government, has come to the conclusion that some real democratic constitutional change is called for.

The Secretary of State for Wales exercises his functions in Wales as a governor-general. I do not expect him to agree with that, but he is responsible for housing, education, health, transport, the economy, agriculture and so on—

Mr. John Morris: And the honours system.

Mr. Llwyd: Yes, not that that worries me unduly. I believe that it is because of the concentration of powers and functions without true accountability that the people of Wales view the Welsh Office with such odium. All political parties in Wales agree on the principle of unitary authorities, and there is no argument about that on the Opposition Benches. I believe that the Government also agree. But I have to say that the lack of accountability of the 90 or so quangos currently operating in Wales worries many people. That might have been a factor in the Government's poor showing in 1992 and last week. Above all, local government reform must carry with it the consent of the people of Wales. The so-called reforms in the Bill do not have that consent.

Quite apart from the boundary arguments, which will probably be restated later this evening, and which are very important, there are many flaws in the legislation and we have not had adequate opportunity to scrutinise them properly. During the passage of the Bill, questions were asked and assurances were given, but the arguments have advanced very little. We are still, incredibly, very much in the dark as to the kind of animal that the Bill is and what will eventually come of it. Surely that is not the way to deal with legislation in a so-called democratic forum such as the House of Commons. We should know exactly where we are going and that what we are doing carries with it the will and consent of the people. That clearly is not the case in this instance.

If we do not have an all-Wales body accountable for strategic planning and also to scrutinise the quangos, I believe that we are making a grave mistake. We have a good opportunity now to deal with a major reform, which would democratise matters, and here is the vehicle to do it. But we hear consistently the tired argument that, "In 1979, the people of Wales said no, so you are not having it." Meanwhile, we see quangos spending billions of Welsh taxpayers' money without any true accountability. That really is a worrying feature of any democracy.

In Wales at the moment there is the scandalous situation that a quango seems to be a safe haven for every failed Conservative, or any Conservative who thinks that he or she is on the way up. By all accounts, those safe havens are free from any real scrutiny and that makes them untenable and unacceptable. The democratic deficit in Wales is a wide abyss which is ever-widening, and that concerns all Opposition Members. We must bring some form of scrutiny into force quickly. I know that there has been some tinkering at the edges in mid-Wales. I am not sure whether the Government's view on that is correct, but there is—I hope—some scrutiny of the current quangos.

It is a sad fact that £1.8 billion of taxpayers' money is distributed by 1,400 people who serve on those bodies—200 more people than there will be councillors under the proposed set-up in the Bill. The Government have an opportunity of addressing that democratic deficit. It is real, not perceived. I referred earlier to the way in which polls in Wales have gone against the Conservative party. I believe that it is because those quangos are looked upon with such disdain that the Conservative party is so unpopular. If it were not for the fact that every person in Wales has to spend money to keep them going it would be a laughable matter, but it is not.

Some 85 per cent. of the people of Wales voted in favour of parties that have in their manifestos some form of devolution, be it a full Parliament, which Plaid Cymru wants, an assembly, which the Labour party wants, or the assembly that is proposed by the Liberal Democrats. Consensus is a vital component of the Bill. It will affect each and every person in Wales, and therefore we need that consensus.

In another place, the opportunity was grasped by many in the debate and in the Lobbies. I believe that if the purpose of the Bill is to ensure good local government in Wales, the new clause and the consequential amendment should be carried. I therefore fully support the new clause and the amendment.

Mr. Donald Anderson (Swansea, East): Part of the malaise affecting the governance of Wales is shown in tonight's rather rushed debate, as we are examining the new clause in just one hour. I adopt wholly what has been said, particularly by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) in respect of limbo-land, the movement of powers to the Welsh Office and the increasing alienation of the people of Wales. That is a real problem, which the Conservative party ignores at its peril, as we have seen in the results of not only the local elections but the recent European elections.

The Government are indeed isolated. I believe that their views are wholly undemocratic. I concede that many of the arguments that are now raised were rehearsed extensively

[Mr. Donald Anderson]

in the 1970s and that I took a different view at the time. But on balance I have come to a different view for a number of reasons: partly because of the centralisation that has come over local government since that time; partly because of the nature of the local government changes; and partly because of the current modest proposal for a body to deal with the strategic issues in Wales, the co-ordination and so on. That body will develop, or not, according to the views of the people of Wales. It will go as far and as fast as the debate in Wales takes it. I believe that that is the proper democratic way in which it should be seen.

A further major factor has been the European dimension. The Secretary of State has a view within the Cabinet against the developments in Europe which I believe does the Principality great harm, but that is another debate. But it is clear that the diversity in the European Community, which is reflected in all countries save our own—the most centralised of the European countries—must have implications for us. The quangocracy was mentioned earlier, and the increasing self-consciousness of the people of Wales, which is to be applauded.

I have but one minute, so I shall finish on this point. The Secretary of State is noted for his intellectual rigour and the independence with which he approaches problems of this nature. I urge him to cast aside the old shibboleths of the past. One can make the political arguments about the Conservatives now being—perhaps they always have been—the English nationalists and that they are being forced into their own strongholds as a result of the past few elections, but I urge him to look at the issue afresh, because it is serious. In my judgment, the people of Wales are becoming increasingly alienated. The Conservative party is being increasingly isolated. It ignores the issue at its peril.

Mr. Paul Flynn (Newport, West): In the debate on democracy in the European elections in my constituency nearly a week ago, the only candidate who did not turn up or send a representative was the Conservative candidate. We understand her impossible position in trying to justify the battered and abused democracy in Wales. A candidate who did turn up made a case saying that he did not believe in democracy, but in natural law. He thought that the world should be run by 7,000 yogic flyers. I reminded him that that is the sort of situation that we have in Wales. We have 7,000 people running the quangos, who are far more powerful than Welsh Members of Parliament, and far more powerful than all the members of local councils in Wales. What has happened in Wales is the mirror image of what has happened in eastern Europe. Even in countries such as Mongolia, Lithuania, Romania and Estonia, there was always a body of opinion—about 14 per cent. of people — who were genuine, ideological communists who believed in that system. There were shams of democratic institutions in all those countries in 1979 with no power. To achieve power, one had to be a card-carrying member of the communist party.

We have seen a transformation there, but we have seen the exact opposite in Wales over the past few years. There has been a decline in the power of all the democratically elected bodies; resources have been taken away from all the local authorities, and they have been replaced by quangos. I understand the enthusiasm for quangos expressed by the hon. Member for Monmouth (Mr. Evans): he probably has more members of quangos as constituents than any other hon. Member, because of the "magic circle" in his area.

The point of tonight's debate is the way in which democracy has been destroyed in Wales. Hon. Members should look at the election figures. Last week, the Conservatives achieved a vote of 14 per cent.—a wipe-out, much closer to the vote secured by the Natural Law party than that secured by Labour. In last year's local government elections, Tories won 32 of 500 county council seats, and six Tory Members of Parliament were elected out of 38; in the district council elections Wales had 54 seats, of which the Conservatives won only one.

This is an abuse of democracy. The Tories are as popular in Wales now as Ceaucescu was in Romania at Christmas 1989. To deny democracy is dangerous and an abuse.

7 pm

Mr. Redwood: Time and again, Labour makes a general statement against centralisation and then, by actions, words and deeds, shows that its centralising heart is beating ever more strongly. It is always urging me to solve every problem in Wales, where many problems can and should be solved by local government and—I trust—will be solved by local government, under the new structure that we recommend.

I am grateful to my hon. Friend the Member for Monmouth (Mr. Evans) for pointing out that the assembly proposed in the new clause is a toothless tiger, not the sort that the nationalists are recommending. Let me reassure the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) that I do not want more powers and functions to gravitate to me; I strongly recognise the importance of good local government in Wales and elsewhere in the United Kingdom. Let me tell the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) that I would not swap Wales for Catalonia, as he wishes to do: Catalonia's unemployment is much higher and our prosperity machine is in much better gear. I hope that he welcomes those facts.

The hon. Member for Newport, West (Mr. Flynn) suggested that Wales's system of local and national government was based on 7,000 yogic flyers on quangos. That may be the position on Newport council—I believe that it has set up a good many quangos, and it may be placing some odd people on them—but it is certainly not the Wales that I know and love. It is not the Wales represented by the Welsh Office and the House of Commons.

In Committee, Labour Members tabled amendment after amendment seeking more powers for the Secretary of State. They wanted me to call in planning applications more often to force local inquiries; they wanted me to designate strategic plan areas, to make more use of powers to monitor cross-border trading, to issue specific guidance to authorities on how to draw up service delivery plans, to issue more prescriptive guidance on decentralisation, to intervene to settle disputes between area committees and councils and to offer more guidance on transition committees. They even wanted me to draw up schedules of local authority members prescribing when they should retire. The Liberals joined in: they wanted me to establish a single trading standards authority for Wales, rather than such authorities being answerable to elected local government.

I would find Labour's attacks on quangos much more convincing if they ever countenanced the removal of any of the quangos that have been set up. When I suggest the abolition of some of them, howls of anguish go up from the Opposition Benches. Opposition Members cry, "No, Secretary of State, not this one—not now. Keep the quangos—keep them going." Labour councils themselves, of course, are mad keen on quangos. They have set up, or participate in, hundreds of them in Wales.

The other day, I read a list of appointments and nominations to outside bodies of just one council. Well over 100 bodies have places to which the council appoints its friends or councillors. They include everything from community centres to the Museum Council for Wales, best-kept village competitions, alms houses, community industry advisory panels, consortia of local authorities in Wales, the Federation of Industrial Development Associations—I have a much better list, but the time constraint is pressing. Quango-crazy Labour, in local government, even appoints—at public expense—national quango monitoring units, as Cardiff city council has done.

Labour should come down from its high horse and recognise that it is up to its eyes in quangos, that many of its people sit on them and that Labour councils have created far more quangos than the Welsh Office has ever dreamt of doing under a Conservative Government. It is local government's job to maintain proper control of the myriad local quangos that it helps to fund. Labour's proposals in the new clause would take powers away from elected local government in Wales and give them to a new regional assembly. I do not see why a new regional assembly would be better able to carry out the scrutiny required than local councils, which are closer to the local bodies concerned.

I believe that the Opposition leader-in-waiting—the hon. Member for Sedgefield (Mr. Blair)—favours more government for Wales. We look forward to his reconciling that with his only famous phrase so far. How did it go? "Tough on socialism", was it? "Tough on the causes of socialism"? We know his views, and his fashions come and go, like those of so many socialists nowadays. In 1983, he was against Europe; in 1994, he was head over heels in love with it. In 1983, he was against nuclear weapons; in 1994, no comment.

I suggest that the hon. Member for Caerphilly (Mr. Davies) checks carefully with the hon. Member for Sedgefield whether he has any chance of keeping his own job and whether the Welsh assembly is another policy that is here today and gone tomorrow. Certainly this policy is gone today—and here tonight I urge my colleagues to reject it.

Question put, That the clause be read a Second time:—

The House divided: Ayes 244, Noes 280.

Division No. 261] **[7.05 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
Garrett, John
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Jackson, Glenda *(H'stead)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom

Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Peter *(Belfast E)*
Roche, Mrs. Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Kilfoyle and
Mr. Eric Illsley.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, Sir James
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Michael *(S Worcs)*
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*

Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Waterson, Nigel
Watts, John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Kirkhope and
Mr. Bowen Wells.

Question accordingly negatived.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Mr. Deputy Speaker. Have you received a request from a Transport Minister to make a statement to the House because I understand that No. 10 has now admitted that there has been direct ministerial involvement in today's strike? It would be helpful if the House were to be told that.

Mr. Deputy Speaker (Mr. Michael Morris): The occupant of the Chair has received no request for a statement.

New clause 13

MAGISTRATES' COURTS, JUSTICES OF THE PEACE ETC.

'.—(1) The Lord Chancellor may by order make, with respect to any matters mentioned in subsection (2), such incidental, consequential, transitional or supplemental provision as he thinks necessary or expedient in consequence of any of the provisions of this Act.

(2) The matters are—

(a) the functions or areas of jurisdiction of any justice of the peace, stipendiary magistrate, magistrates' court or keeper of the rolls for a commission area (within the meaning of the Justices of the Peace Act 1979); and

(b) commission areas, petty sessions areas and areas to which magistrates' courts committees relate.

(3) The Lord Chancellor may by order alter, in such manner as appears to him expedient in connection with the alteration in any local government area made by this Act, any of—

(a) the commission areas in Wales specified in section 1 of the Act of 1979,

(b) the areas in Wales which constitute petty sessions areas under section 4 of that Act, or

(c) the areas in Wales to which magistrates' courts committees relate under section 19 of that Act.

(4) Any order under this section may, in particular—

(a) make provision with respect to the costs and expenses of any persons with respect to whom provision is made by the order;

(b) apply (with or without modifications) or amend or repeal or revoke (with or without savings) any provision of an Act passed before this Act or in the same Session, or an instrument made under such an Act before 1st April 1996.

(5) Subsections (7) and (9) of section 54 apply in relation to this section as they apply in relation to that section.'—*[Mr. Gwilym Jones.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 72, 105 to 109, 73, 75, 83 and 84.

Mr. Jones: We have tabled the amendments at this late stage because we wish to take account of the provisions of the Police and Magistrates' Courts Bill currently being considered in Committee. The amendments make provision in respect of the Lord Chancellor and of functions in connection with magistrates courts, justices of the peace and so on. The Bill currently provides for these in clauses 54(4) and (5) together with schedule 2(10).

In addition, the amendments remove subsections (4) and (5) from clause 54, provide a separate clause in respect of the Lord Chancellor and his functions, expand the provisions in schedule 2 and make consequential amendments to clauses 56, 57, 62 and 65.

Mr. Alun Michael (Cardiff, South and Penarth): I am amazed that the Minister can introduce a disgraceful new clause so glibly. The new clause exposes the muddle in which the Government find themselves over various pieces of legislation and the incompetence of Ministers who cannot think through the implications of their proposals. The Minister has given no reason for allowing the Lord Chancellor to take the very wide powers contained in the new clause.

The Minister said that the new clause is meant to take into account the provisions of the Police and Magistrates' Courts Bill, but the Committee considering that Bill, on which I am leading for the Opposition, has not yet reached the part of the Bill that deals with magistrates courts. As drafted, that Bill is a good deal more limited and does not need the wide and sweeping powers that the Minister wishes to introduce into this Bill.

We need an explanation from the Minister because the new clause provides much greater powers than those provided in the Police and Magistrates' Courts Bill. The widest of those powers enables the Government, or the Lord Chancellor, to revoke primary legislation by order. That cannot be right. It certainly cannot be right for the Minister to propose such a new clause without offering an explanation or seeking to justify the Government's approach.

In the short time since the new clause was tabled, it has received considerable criticism and caused questions to be asked about the Government's motives and intentions. The Minister has not explained those motives and intentions and has provided no justification for suggesting such wide-ranging powers. The suspicion is that the Government are trying to take powers by the back door under this Bill which would not be provided under the Police and Magistrates' Courts Bill. It will certainly be a matter for considerable comment when the Committee reassembles to consider that Bill. My hon. Friend the Member for Brent, South (Mr. Boateng), who speaks for the Opposition on matters concerning the Lord Chancellor's Department, will raise several issues at that point.

The Government are seeking to reorganise magistrates courts' functions in Wales without consultation. Even clause 62 of the Police and Magistrates' Courts Bill, which is the relevant piece of legislation, allows for consultation, so one has to ask what is happening. Is the Lord Chancellor going to climb down over clause 62 of that Bill, which would mean that powers have to be inserted into this Bill in order to enable the Government to make the desired changes?

New Clause 13(4)(b) provides the power to revoke primary legislation by order. We can pray against an order

[Mr. Alun Michael]

and force a debate in the House, but an order cannot be amended, so the power over primary legislation that is being given to Ministers in the new clause is most unusual and peculiar and certainly requires some explanation by the Minister.

The Government are impaled on their own timetable for local government reform. An attempt has been made to railroad through the measures in Wales and, even on the basis of the slightly slower timetable to which the Government are now committed, there is still not adequate time to deal properly with all the issues.

Let us consider the magistrates courts areas that the Government are proposing. The Government propose three magistrates courts committee areas to replace the four that we now have. The proposed areas form some pretty odd clusters. It is proposed to merge South Glamorgan with what are referred to as the Glamorgan valleys—basically, Rhondda, Pontypridd and Cynon valley. That area is not quite the old East Glamorgan as outlined in the legislation when local government was last reformed. Once again, the Government are in a muddle. I do not in any case believe that it is sensible to make such an amalgamation. The communities of South Glamorgan and those in a part of what is now Mid Glamorgan have their own characteristics and interests, and I have no doubt that my hon. Friends will wish to say something about the specific concerns of their areas.

Bridgend is currently part of Mid Glamorgan, but the Government propose to bolt it on to West Glamorgan. There is no rhyme or reason in that proposal, but they intend to go ahead. Ministers will be given powers without being required to offer consultation. Why are the Government proceeding in this way?

Merthyr and Caerphilly are being put with Gwent. In view of the borders now being discussed, it might be that the Caerphilly and Rhymney valley area should be put with Gwent for the sake of some functions, such as policing. If so, there should be an element of coterminosity with the magistrates courts areas. I can understand the arguments for that, but not in relation to Merthyr. However, the Minister has not even tried to outline the logic of the Government's thinking.

The Government are impaled on their own timetable because they have to make changes to ensure that the magistrates courts' areas are designated. If they are not, there will be no county council to which they can be accountable or to provide the necessary funds. The problem needs to be sorted out within the designated time scale, but, in case the Minister is not aware of this, I must point to him that, as long ago as April 1993, senior officials in the Lord Chancellor's Department were told during visits to south Wales that there was an urgent need to get the Police and Magistrates' Courts Bill and the Local Government (Wales) Bill sorted out so that they can complement each other. But last-minute amendments and new clauses are now being introduced on the Floor of the House while the Police and Magistrates' Courts Bill is still in Committee. Will amendments be tabled to that Bill in the next couple of weeks or, indeed, on Report, or are the inconsistencies between the two Bills to remain? It is proof of gross incompetence that the two Bills have not been considered together.

I also understand that the question of who is the keeper of the rolls and lord lieutenant are yet to be sorted out. In any event, they need to be sorted out in such a way as to represent the interests of the local communities involved. Local people and officials of the various courts are attempting to find a sensible solution to the problem. There is no need to place in the hands of Ministers the draconian and wide-ranging powers proposed in the new clause.

Mr. Alex Carlile: I know that the hon. Gentleman takes a great interest in these matters in his capacity as a Front-Bench spokesman for Labour. Is he aware that magistrates and magistrates' clerks in rural mid Wales are frustrated because they do not believe that the Lord Chancellor's Department appreciates the size of rural mid Wales? They feel that they are being forced into amalgamation which may mean that the administration of magistrates courts is difficult to envisage in future. I have received from magistrates many objections to what is being proposed.

Mr. Michael: I am aware of those concerns in rural areas. There is a sense of unity right across Wales on that subject. It is felt generally that the Lord Chancellor's Department does not understand or care and does not want to listen to the views of those involved in the very important task of delivering justice at local level. Criticisms have been made by magistrates through their associations and by many of them individually. Criticisms have been made by magistrates' clerks who have experience of dealing with that administration. The hon. and learned Member for Montgomery (Mr. Carlile) is absolutely right. He voices the concerns of his area, but, in fact, every hon. Member who represents a Welsh constituency, whether rural or city or valley could stand up and make that point. I certainly accept it as being an accurate description of the problem in many parts of Wales.

7.30 pm

Mr. Jonathan Evans: I wish to restrain the hon. Member for Cardiff, South and Penarth (Mr. Michael) from agreeing too much with the hon. and learned Member for Montgomery because part of Powys is in the area that I represent. In the past three weeks, representatives of the Powys magistrates court committee have met the Parliamentary Secretary, Lord Chancellor's Department specifically to discuss the needs of rural Wales and they were very pleased by the reception that they received. They said to me that there was a clear understanding of the problems in mid-Wales and they were given various reassurances.

Mr. Michael: I understand the hon. Gentleman's need to try to make the Government whom he supports look reasonable and to suggest that they are listening. If there were reasonableness and listening, there would be no need for the new clause. The hon. Gentleman must be listening to some strange sources, because that is certainly not what I hear from people around the country as they express their concerns. The hon. Gentleman, having made his point, has now lost interest.

We need to know from the Minister why those powers are required. Is it right that, in a Bill dealing with Welsh local government, power should be given to the Lord Chancellor to change primary legislation by order, rather than through a proper process? Is it right, when a Bill dealing with magistrates courts is on its way through the House and still has to be dealt with in Committee, that such powers should be sought during the Report stage of a Bill not dealing with magistrates courts issues? Is it right that Ministers should fail so clearly to get their act together and that they should seek powers to enable them to sort out the muddle without listening to the voices of those who deal with justice, those who live in the areas affected, those who are magistrates and those who deal with the administration of justice?

There has also been considerable criticism of clause 62 of the Police and Magistrates' Courts Bill because it is felt that there has not been adequate provision for consultation. Yet here we have something in an entirely different Bill which does not even allow for the extent of consultation allowed in the Police and Magistrates' Courts Bill. There is considerable concern that the Government's wish to reduce from 105 to between 50 and 60 the number of magistrates courts committees is being driven forward without regard to the interests of those areas that will be affected. Justice in a magistrates courts context is a local issue and a local matter. The commitment of magistrates in giving their time voluntarily to exercise judicial responsibilities in their local communities is not being respected by the Government. That has led to enormous ill feeling. The feelings of those volunteers should not be disregarded in this way.

I cannot see any justification for the Government's seeking the powers in the new clause and I certainly cannot see the justification for their disregarding the proper processes not only of consultation but of legislation in this way. The Minister should recognise the constitutional impropriety of the new clause, withdraw it and let any amendments be made in a considered way in the Committee considering the Police and Magistrates' Courts Bill. That would give Welsh Members an opportunity, during the Report stage of that Bill, to consider any provisions relating to Wales in the context of what is happening to magistrates courts generally and to deal with the matter in a more responsible and considered way. This is not the way in which to deal with such important issues. I hope that the Minister will withdraw the new clause and accept the points and criticism that I have made.

Perhaps the new clause and amendments have not been drafted by the Welsh Office but have been thrust on an unwilling Minister. I should be happy to hear the Minister say that, and say that, on reflection, he is willing to take them back and see whether he can get more sense out of the Lord Chancellor's Department than his light-weight introduction to the new clause suggested he has been given so far. Certainly, Opposition Members need a lot more answers before we can feel anything but uneasy about the proposition before us.

Mr. Rowlands: I am sorry to have to comment in this way about the Under-Secretary of State for Wales because, in Committee, we appreciated the patience with which he sought to explain the Government's position on various issues, even when the case was weak, but, in this case, the way in which he introduced the new clause was an insult to the House. We watched him. He had half a page of an explanation which he read out head down and which, clearly, as my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) said, did not come from the Welsh Office. He did not explain the origins of the new clause and he did not give us reasons for it or go through it and explain it to us.

In introducing any new clause, it is a Minister's responsibility to explain why one subsection says this and why another subsection says that. I hope that in his winding-up speech he will produce a slightly longer explanation and interpretation of the new clause.

We have just heard a tirade in the winding-up speech of the Secretary of State about centralising tendencies. I can think of no more centralising language than that written into the new clause. In the opening paragraph, it states that the Lord Chancellor may by order make various changes, as he thinks necessary, in certain "matters". Those "matters" include the functions of a justice of the peace —not only the areas of jurisdiction, but the functions. What are the functions? Why in the Local Government (Wales) Bill [*Lords*] is there a provision for the Lord Chancellor to be able to alter and change the functions of a justice of the peace? I understand that the Lord Chancellor may need power to try to change the areas and to make them coterminous.

The Justices of the Peace Act 1979—I went to the Library earlier when I saw the new clause—refers, of course, to the counties. The magistrates committees are county based and the Justices of the Peace Act incorporates the counties. I understand the necessity to change that legislation when one is doing away with counties or altering the boundaries. But will the Under-Secretary explain, before we approve the clause, why the Lord Chancellor will need the power to alter, as he may think necessary or expedient, the functions of a justice of the peace in a Bill on the reorganisation of Welsh local government?

Secondly, I turn to what I thought was the purpose of the clause. Subsection (3) states:

> "The Lord Chancellor may by order alter, in such a manner as appears to him expedient in connection with the alteration in any local government area . . . any of the commission areas in Wales specified in section 1 of the Act of 1979."

That provision gives the Lord Chancellor power to change the areas or to relate them to changes in local government reorganisation in Wales. The reason why we are so profoundly concerned—my hon. Friend the Member for Cardiff, South and Penarth made the valid point—is that the clause includes no provision for consultation in any shape or form. Perhaps that consultation provision is in another Bill. My hon. Friend is an expert on the Bill and he may tell us why a consultation process has to occur.

The reason why I shall not support the power suggested in the new clause is that I do not believe that the Lord Chancellor understands or knows about the geographical problems and the areas of the communities that he serves. If he were aware of those problems, he would not have produced the proposals with regard to the reorganisation of magistrates courts committees. The proposals conflict with the changes at local level proposed in the Bill. It is suggested that Merthyr should be included in Gwent.

Mr. Jonathan Evans: From my discussions with my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department, I understand that the map that was produced, which has led to the comments made by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), contains indicative, not specific, proposals.

[Mr. Jonathan Evans]

The indications given to the delegation that I took to the Lord Chancellor's Department were that the Department currently does not have a specific view on the new areas.

Mr. Rowlands: I am willing to accept the word "indicative". The proposals are indeed indicative of the Lord Chancellor's knowledge and understanding of the communities that we represent. They show how little he knows. It is clear that he has no understanding of geography or community. If he had such an understanding, he would not have produced his indicative map which proposes that Merthyr be included in Gwent.

As the hon. Member for Brecon and Radnor (Mr. Evans) will be aware, I supported with elan some of the changes made by the Government in Committee. It is clear that changes in local government boundaries place Merthyr in the Mid Glamorgan preserved county area. They do not carry it across into Gwent.

The proposals come from the Lord Chancellor. In new clause 13, the Lord Chancellor wants to take power by order to alter and amend areas and boundaries. If that is indicative of what the Lord Chancellor understands about the geography of our communities, the last thing that we should do is give him such sweeping powers in the knowledge that his Department is, by its nature, a very central Department which does not understand such matters.

Mr. Michael: My hon. Friend asked me about the difference between this Bill and the Police and Magistrates' Courts Bill with regard to consultation. In clause 62 of the Police and Magistrates' Courts Bill there is a requirement that, before making an order in exercising his powers, the Lord Chancellor shall consult

"(a) the magistrates for each of the existing magistrates' courts committee areas to which the order relates,

(b) the magistrates' courts committees to which the proposal relates, and

(c) every interested authority."

What is being sought in this Bill seems to override that.

If the hon. Member for Brecon and Radnor (Mr. Evans) is correct and what we have are not even proposals for consultation, but just an indicative first stab based on nothing very substantial, goodness knows what we can depend on in terms of consultation.

Mr. Rowlands: My hon. Friend underlines the point forcefully. When the Minister replies to the debate, he should tell us why new clause 13 does not contain a form of words equivalent to that in clause 62 of the Police and Magistrates' Courts Bill when the Lord Chancellor exercises the powers that we are being asked to give him.

It is very difficult for us to relate the new clause to another Bill that is still in Committee and which has yet to return to the Floor of the House to be approved by the House. If a consultation process exists in one Bill, it should surely exist in the context of the powers that the Lord Chancellor is seeking in the new clause. That difficulty underlines the Minister's total failure to explain the new clause to us properly.

7.45 pm

The Minister must tell us why the new clause does not contain a provision for consultation such as that in the Police and Magistrates' Courts Bill. He must also tell us why the Lord Chancellor is taking power in a Welsh local government Bill to affect the functions of a justice of the peace.

I am uneasy about the proposal because the other thing that is behind all this is the mooted huge rationalisation with regard to the local benches. From Tudor times, the development of the concept of the justices of the peace has been based on local justice. With the limited powers available to them, a group of local justices would be able to administer justice in communities of which they were members. Community is basic to the concept of a justice of the peace.

I believe that in many cases, the local benches will be merged. They will be rolled up into one large bench. For example, the local commission of peace currently administered through Pontlottyn may eventually end up in Cardiff. That is the other agenda. The concept of a local bench will be removed. The bench at Pontlottyn is currently manned by people who perform amazingly valiant service to the local community. They have a real understanding and feeling of the nature of the problems of the community. In many cases, they handle the issues with great sensitivity. I do not want those benches to be rolled up and to serve from Cardiff.

Mr. Gareth Wardell (Gower): While I largely agree with my hon. Friend, does he accept that magistrates increasingly face threats of intimidation when they sit on local cases in their areas? Some provision must be made to ensure that that intimidation does not undermine justice in that community.

Mr. Rowlands: I have not come across such sad symptoms too often, although I can think of a particular incident in my own community.

I am not talking about a sympathetic bench. In many cases, we want a bench to be firm and strong in its attitudes in respect of some of the anti-social behaviour that sadly occurs in some of our communities by an increasing minority. However, when people come before local benches, in Pontlottyn or Merthyr, that bench should be manned by people who understand and know that community and—as is almost entirely the case in our area —who live within that community.

Behind the proposals in the Bill, the other rationalisation that will be driven through is that with regard to the merger of the benches. We would lose the essential local community character of a magistrates court which I thought was the very reason why we have a system of local justices of the peace.

Mr. Michael: I agree whole-heartedly with the basic principle that my hon. Friend is enunciating. I suggest to him and to my hon. Friend the Member for Gower (Mr. Wardell) that the problem should be dealt with not by merging benches or creating great anonymous areas, but through the provision which already exists by which, where appropriate, a case can be heard by a bench outside the area concerned. My hon. Friend the Member for Gower was right to highlight the problem, but that can be dealt with already under the existing arrangements.

Mr. Rowlands: As always, my hon. Friend, who has immersed himself in these issues, enlightens us and I thank him for that.

We should not approve the new clause until the Minister has explained the nature of subsection (2)(a) and why we should give powers to the Lord Chancellor in a local government Bill to alter the functions of a justice of the peace. Because it is indicative of what we think the Lord Chancellor might be up to, and because the map to which the hon. Member for Brecon and Radnor referred reveals geographic ignorance of our communities, we should not give such powers to the Lord Chancellor without the inclusion of proper statutory consultations in the new clause.

I should like a reassurance from the Minister about the parallel agenda. I should like him to reassure me that my fear about the merger of the benches, which would destroy the very nature of community justice represented by the commission of the justices of the peace, is unfounded.

Mr. Jonathan Evans: I seek just two assurances from my hon. Friend the Minister. As I read the new clause, it is clear that it is dependent upon being in consequence of any of the provisions of the Bill. Therefore, I take it that it is intended that one deals with magistrates courts areas —jurisdictions, if one likes—precisely in accordance with the changes that we have brought about in terms of the boundaries of local government within Wales. I have no doubt, particularly because we see in subsection (3) that that phrase is again repeated in relation to changes necessary

"in connection with the alteration in any local government area"

that that is why the new clause has been brought forward.

Mr. Rowlands: The hon. Gentleman is a lawyer; therefore, we need to pick his brain. Why are the words "the functions or" included, if that is his interpretation of the purpose of the new clause?

Mr. Evans: I do not want to make the speech of my hon. Friend the Minister; no doubt he will tell us. It seems that any changes in the functions would have to be changes that were

"necessary or expedient in consequence of"

the passing of the Bill. It is not therefore not quite the sort of broad power to which the hon. Gentleman was referring.

Mr. Michael *rose*—

Mr. Evans: Again, I do not want to be lengthy about this matter.

Mr. Michael: Does the hon. Gentleman agree, however, that allowance is made in the Bill for subsequent changes, which could be not just now but at times in the future, and that that in itself could lead to a consequential peg on which to hang changes which of course could be consequential, because it is not we who define "consequential"?

Mr. Evans: The hon. Gentleman made his own speech. It will be for my hon. Friend the Minister to answer for the Government. I am just seeking assurances from the Government; I am not here to give assurances to the Opposition. On my previous point, though, I seek the assurance that my interpretation of the new clause is correct. On the face of it, it seems to be directed in that way.

I mentioned in an intervention that I had a meeting with the Parliamentary Secretary, Lord Chancellor's Department precisely because of some concerns about the indicative map that has been produced in relation to Powys. It was clear that that document was produced merely for indicative purposes and that it is not a template of change as far as the Lord Chancellor's Department is concerned. In view of some of the remarks that have been made, it is important to make that point.

One point that I put to the Parliamentary Secretary, Lord Chancellor's Department on that occasion and which officials had not previously heard, but promised to give some attention to, is whether, in the passage of the Police and Magistrates' Courts Bill, there should not only be consultation on new magistrates courts boundaries, if there are to be amalgamations, but consideration of the possibility that any amalgamation might be subject to an affirmative resolution within the House. I know that that matter is currently being considered by the Lord Chancellor's Department.

I seek the assurance from my hon. Friend the Minister that, by passing this new clause, which I am perfectly happy to do, we will in no sense restrict any change that the Lord Chancellor's Department may subsequently agree in terms of the Police and Magistrates Courts' Bill requiring there to be an affirmative resolution before there could be any amalgamation of magistrates courts areas generally.

Mr. Gwilym Jones: We have had a kind reference to patience. Perhaps that quality is still needed in the debate. I must tell Opposition Members that the powers to change areas and functions have been in clause 54(4) since it was first introduced. As I listened to the hon. Member for Cardiff, South and Penarth (Mr. Michael), I tried to make up my mind whether it was a case of much ado about nothing or of the hon. Gentleman being excessively cautious. Knowing the hon. Gentleman as I do, I prefer to think that it is the latter.

It is a pleasure to welcome the hon. Gentleman back to the Opposition Front Bench on Welsh affairs. It is good to see him there. We had been wondering whether we would see much more of him in that position in future, but I had better not digress further.

Mr. Michael: I thank the Minister for his welcome. It is because of the mixture of judicial and criminal justice issues and local government issues that, with well-known tolerance, my colleagues in the Welsh team have invited me to contribute to the debate. I am grateful to them for that.

Can the Minister point to the place in the Bill where subsection (4)(b) of the new clause was previously put? That is the bit that gives the Government power to amend primary legislation by order.

Mr. Jones: I will cover that point in a moment.

New clause 13 provides my right hon. Friend the Lord Chancellor with the equivalent powers that my right hon. Friend the Secretary of State has in clause 54. Subsection (3) of the new clause will provide the Lord Chancellor with the ability to make further orders with respect to commission areas, petty sessions areas and magistrates courts committees in connection with alterations made in local government areas by the Bill. That is necessitated by the fact that, for the moment, as far as possible the status quo is to be preserved. The expanded sections inserted into schedule 2 by amendments Nos. 83 and 84 will ensure that those areas are based on preserved county areas. They are currently based on the county area. However, subsection (3) of the new clause will enable my right hon. Friend the Lord Chancellor, should he consider it expedient in future, to alter those areas to match them with the new principal areas.

[Mr. Jones]

Perhaps I should explain further some of the other amendments. Amendment No. 73 will tie my right hon. Friend the Lord Chancellor into clause 62 and give him equivalent powers to those of my right hon. Friend the Secretary of State. Amendment No. 75 will bring the new clause into force on enactment. Amendments Nos. 105 to 109 are consequential, to take account of new clause 13.

Mr. Rowlands: The Minister has not yet explained to us the consequential changes made by the Local Government (Wales) Bill to the functions of a justice of the peace.

Mr. Jones: That is an important point. The points made by the hon. Members for Merthyr Tydfil and Rhymney (Mr. Rowlands) and for Cardiff, South and Penarth are essentially all for my right hon. Friend the Lord Chancellor. All that these amendments do is to allow him to alter those areas because of changes to local government boundaries made by the Bill.

The hon. Member for Merthyr Tydfil and Rhymney asked about functions. There is nothing novel about the amendments. There is the precedent of section 19(2)(d)(i) of the Local Government Act 1992 which provides power to make regulations and to make consequential, supplementary, et cetera provisions as to the functions or areas of

"any justice of the peace, stipendiary magistrate, coroner or keeper of the rolls".

We have to be able to change those, as the hon. Member for Merthyr Tydfil and Rhymney said, so that magistrates' boundaries tie in with unitary authority boundaries. The problem arises purely and simply because the areas are defined by reference to counties. If my right hon. Friend the Lord Chancellor made changes to functions, it would have to be incidental, consequential, et cetera, to the local government changes made by this Bill. It is thus not a completely unfettered power to change functions.

Mr. Rowlands: I understand that, but will the Minister give an example of the type of function—as opposed to area—that is changed by the local government reorganisation?

Mr. Jones: They are functions entirely consequential to the changes made in the Local Government (Wales) Bill. I hesitate to give examples of functions, as I am not an expert in that matter, but I imagine that the hon. Member for Cardiff, South and Penarth will pursue certain expert questions when the Police and Magistrates' Courts Bill is considered in Committee.

Mr. Michael: The trouble is that we cannot pursue this legislation during the Committee stage of the Police and Magistrates' Courts Bill. That is why I said that these amendments should have been made to that Bill and not to this Bill. I invite the Minister to respond to my hon. Friend's request by giving us just one simple example of a function that might change. The Minister suggested that I might have some expertise. I cannot think of one function that could or should be changed. One is therefore bound to be suspicious and to ask what the Minister and the Lord Chancellor are up to.

Mr. Jones: I shall not go any further on that point.

I trust that that will also be the assurance that my hon. Friend the Member for Brecon and Radnor (Mr. Evans) has sought. I am grateful to him for his intervention.

In answer to the question by the hon. Member for Cardiff, South and Penarth, the equivalent of subsection (4)(b) of the new clause is clause 54(2)(e). Again, there is nothing novel about that.

I was glad to hear the earlier intervention of my hon. Friend the Member for Brecon and Radnor, which he repeated in his remarks, about the way in which mid-Wales has been considered in arrangements for that part of Wales. That practical example is the best response to the legitimate concerns expressed by Opposition Members about consultations.

Mr. Rowlands: I am sorry to keep interrupting, but this is the Report stage of the Bill. Has the Minister made it clear to the Lord Chancellor's Department, by the usual means, that the proposed map—and especially the notion of putting Merthyr into the Gwent committee area—is completely in conflict with the whole shape and character of local government changes as proposed in the Bill?

Mr. Jones: I regard the map as essentially a matter for my right hon. Friend the Lord Chancellor. Within the usual consultations, my right hon. Friend the Secretary of State has taken, and will take, the opportunity to offer his comments so that the eventual decision is best informed and the right decision is taken.

8 pm

Mr. Michael: With the leave of the House, I shall reply. A moment ago, the Minister said that clause 54(2)(e) provided the powers which are contained in new clause 13 with regard to the Lord Chancellor. However, clause 54(1), which contains the appropriate designation, refers only to the Secretary of State and clearly refers to consequential requirements for applying, amending, repealing or revoking legislation as a result of the Bill going through —that is, matters relating to local government, which is what the Bill is about. It does not in any sense make the type of provision that is in the new clause with regard to magistrates courts or the functions of the Lord Chancellor's Department.

It is clear that the Minister has been placed in a difficult position, perhaps as a result of taking on board amendments to help the Lord Chancellor's Department. I suggest that he is wrong in what he is saying. He should withdraw the new clause and let the Lord Chancellor get the Under-Secretary of State to propose amendments to the Police and Magistrates' Courts Bill so that the matter can be debated properly in Committee and on the Floor of the House on Report, rather than rushing the amendments through in this way. The Minister is wrong in what he says.

Mr. Gwilym Jones: With permission, Madam Deputy Speaker. I am relatively confident that I am not wrong in what I am saying. Neither clause 54(2)(e) nor clause 51(4)(1) is changed by this group of amendments, although running through the amendments is a process of putting the Lord Chancellor in the same position as my right hon. Friend the Secretary of State. I do not feel able to comment on what amendments may be tabled in Committee on the Police and Magistrates' Courts Bill, but I am sure that the right amendments will be tabled where necessary.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 14

AREA COMMITTEES: SAFEGUARDS

'.—(1) Where an area committee has been established by a council in accordance with an approved decentralisation scheme—

(a) the council shall not, except with the agreement of the committee, abolish the committee or alter any arrangements in force with respect to the committee which were made in accordance with the scheme as originally approved or which have subsequently been agreed with the committee; and

(b) nothing in section 101(4) of the 1972 Act (power of local authority to exercise functions otherwise discharged by committee) shall be taken to authorise the council to exercise any functions which are to be discharged by the committee, except as provided for by the scheme.

(2) Every decentralisation scheme shall include provision, to be given effect to by the standing orders of the council concerned, for the majority required in order for any suspending resolution to be passed to be such majority greater than a simple majority as may be specified by the scheme.

(3) In subsection (2) "suspending resolution", in relation to a decentralisation scheme, means a resolution to suspend any of the arrangements in force with respect to an area committee established in accordance with the scheme.'.—*[Sir Wyn Roberts.]*

Brought up, and read the First time.

The Minister of State, Welsh Office (Sir Wyn Roberts): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this it will be convenient to discuss also the following: Government new clauses 15 and 18.

Amendment No. 2, in clause 27, page 20, line 38, leave out from beginning to end of line 3 on page 22.

Government amendments Nos. 54 and 55.

Amendment No. 1, in clause 28, page 22, line 4, leave out from beginning to

'end of line 12 on page 23.

Government amendments Nos. 56 to 58.

Amendment No. 25, in page 22, line 34, leave out

'sections 102(3) of the 1972 Act (Power to include persons who are not members of the local authority concerned)'

and insert 'section'.

Amendment No. 26, in page 22, leave out line 42.

Amendment No. 27, in page 23, line 4, at end insert—

'(f) an area committee may co-opt additional persons to serve as members of the committee, but such persons shall not have the right to vote on any resolution of the committee.'.

Sir Wyn Roberts: The amendments and new clauses represent our response to the views expressed by hon. Members in Committee about the organisation of area committees once they have been established. The deletion of provisions from clause 28 and their replacement by three new clauses, each dealing with a different aspect of the matter, is intended to facilitate reading and understanding.

New clause 14 for the most part reproduces the safeguards for area committees that were built into the clause as it stands. However, it has a new provision which adds a further safeguard in that it disapplies section 101(4) of the Local Government Act 1972—relating to the power of a local authority to exercise functions otherwise discharged by a committee—except as provided for in the scheme. Altogether, we believe that the safeguards will enable committees with the necessary degree of independence to be created and ensure that they can be abolished, their functions changed or their decisions overturned only with their agreement.

New clause 15 fulfils our commitment to provide for the co-option of additional persons to serve as members of an area committee. We all agree that it will be useful for committees to be able to call on the expertise and experience of people who are not members of the committee by virtue of their having been elected from the area covered by the committee.

The new clause also makes provision for an area committee to arrange for the discharge of any its functions by a local authority other than the authority which made the scheme—if authorised to do so in the decentralisation scheme. That will enable an area committee to discharge a service delegated to it in the same way as a full council might exercise that responsibility. In practice, we expect that power to be used mainly to enable area committees to arrange for community councils to discharge certain of their functions for them.

Mr. Wigley: There are two matters on which I should be grateful for the Minister's response. First, will the co-opted members of an area committee count towards a quorum? Secondly, will the Minister confirm that the area committee can be a unit in its own right for the purposes of language schemes under the Welsh Language Act 1993?

Sir Wyn Roberts: I can certainly confirm the second point. Of course, it will depend on the committee's decision. As for a quorum, I should have thought that it must comprise the voting members of the committee, and the co-opted members would not be taken into account for that purpose.

Mr. Alex Carlile: With regard to the second point raised by the hon. Member for Caernarfon (Mr. Wigley), will the Minister explain how a body that has no legal status whatever, as was confirmed in Committee, can be a unit for the purposes of Welsh language schemes? If a body can be a unit for the purposes of Welsh language schemes, why can it not be a unit for the purposes of making contracts and incurring legal liability?

Sir Wyn Roberts: We went over this ground at considerable length in Committee. When it comes to the question of languages and the provision of a translation service, I should have thought that a committee of a council could take its own decisions in such a matter. That would certainly fall within its purview as a committee because, after all, it is to do with the committee's procedure.

Mr. Rowlands: Pursuing the point made by the hon. and learned Member for Montgomery (Mr. Carlile), will the Minister tell the House whether any of the amendments and new clauses clarify the legal liability and the legal personalities of the area committees? The Minister is absolutely right in saying that we went over the matter in Committee. As a result, we found confusion and muddle in the Government's mind and in their attitude towards the whole subject of area committees. Will the area committees be liable for their own actions?

Sir Wyn Roberts: I am continuing to describe the committees. If the hon. Gentleman bears with me, I shall explain further what the new clauses do. They supplement clause 28 considerably in that we are adding new clauses.

New clause 18 clarifies the position relating to the setting up of sub-committees of area committees and the

[Sir Wyn Roberts]

exercise of the responsibilities delegated to them. The clause also provides for co-option of additional persons to sub-committees, to serve as members.

Our proposals in new clauses 15 and 18 for co-option to area committees and their sub-committees fulfil—I believe—the undertakings given to the hon. and learned Member for Montgomery (Mr. Carlile) in the Standing Committee. In the light of our new clauses, I hope that he will be able to withdraw his amendments.

Mr. Ron Davies: With the greatest of respect, the Minister is describing the provisions in new clauses 15 and 18, which we can all read and understand. The hon. Member for Caernarfon (Mr. Wigley), the hon. and learned Member for Montgomery (Mr. Carlile) and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) asked very pertinent and precise questions and the Minister said that he would deal with them in a moment. There is nothing in the new clauses—

Sir Wyn Roberts: No.

Mr. Davies: It is no good the Minister saying no, because he did. He said—I noted it—that he would have thought that a sub-committee could make a decision. It takes a great stretch of the imagination for the Minister to come to the startling conclusion that a sub-committee can take a decision.

I should be grateful if the Minister could answer the question asked by the hon. and learned Member for Montgomery. Can an area committee take a decision relating to a language scheme or anything else that is contrary the declared policy of the principal council? That matter is important in defining the relationship between such committees and the principal councils and is at the heart of the new clauses. The Minister should deal with that question rather than going into the realms of waffle.

Sir Wyn Roberts: I thought that I had dealt with all the interventions to the satisfaction of those hon. Members who intervened, but I shall say more about the quorum. It is common sense that the establishment of a quorum in a body that has voting and co-opted members is a matter for the voting members to sort out.

The hon. Member for Caerphilly (Mr. Davies) amplified the question on the language issue raised by the hon. Member for Caernarfon (Mr. Wigley) by asking about a situation in which there was conflict between a committee and the main authority. Again, those are matters that should properly be covered by the scheme for decentralisation that the authority will submit for our approval.

Mr. Rowlands *rose—*

Sir Wyn Roberts: I have not forgotten the point made by the hon. Member for Merthyr Tydfil and Rhymney.

Mr. Ron Davies *rose—*

Sir Wyn Roberts: I have a number of points to pursue, too.

Mr. Ron Davies: The matter is of central importance. We debated it at great length in Committee and the Minister undertook to clarify it. He said that such matters could be resolved under the scheme, but who will approve the scheme? The Minister will do so. If he is asking us to accept the new clauses, we ought to have a statement on the central relationship between an area committee and the principal council. Is the Minister going to approve schemes that give area committees powers to take decisions on matters of policy or administration?

Mr. Alex Carlile: Or money.

Mr. Davies: Indeed, or money. The list is endless. Will the Minister approve schemes under which decisions can be taken that are contrary to the principles or the policies of the principal council? That question defines the relationship between committees and principal councils. Under powers given by the Bill, the Minister will approve such schemes, so what is in his mind? It is no good his saying that he thought that the scheme would cover it. What is he going to do about it?

Sir Wyn Roberts: I shall explain many of the points that are raised, if only the House will be patient.

Let me deal with the issue of co-optees. We believe that members of an area committee should be fully accountable for their decisions and that generally only councillors elected for that area should have the right to vote. We have had to make an exception, however, in the case of representatives of churches that appoint foundation governors of voluntary schools. Under the Education Act 1993, the Secretary of State can direct that such representatives be appointed to committees dealing with education and that they should have voting rights. If an area committee has education functions—we made it clear in Committee that only minor education functions might be delegated—it is necessary for the voting rights of church representatives to be safeguarded as we have done in the new clauses.

Hon. Members have mentioned funding and other issues. The Government propose that the decentralisation scheme should set out how an area committee's budget would be calculated and specify a minimum proportion of an authority's revenue budget to be delegated to the area committee. The proportion would vary from scheme to scheme, depending on the functions proposed for each area committee. Where the whole of an authority was covered by area committees, the minimum amount to be delegated might total one third of the authority's budget.

8.15 pm

The scheme would guarantee the minimum proportion, unless the area committee and the authority agreed that it should move upwards or downwards in the light of experience or changing circumstances. Within the block resources delegated to it, the area committee would set its spending priorities and be able to build up reserves and retain revenue from services for which it was responsible, such as car parking.

On capital finance, applications for supplementary credit approvals—SCAs—would be co-ordinated by the authority, although area committees could play a role.

Mr. Alex Carlile *rose—*

Sir Wyn Roberts: If the hon. and learned Gentleman would allow me, this is an important matter and I have not finished dealing with it, as it is not simple.

As I said, applications for supplementary credit approvals would be co-ordinated by the authority, although area committees could play a significant role in preparing bids for their areas. Schemes could provide for area committees to have responsibility for SCA-supported projects for functions delegated to them and could receive an agreed allocation of capital resources for those functions —from basic credit approvals and reserves.

My hon. Friend the Under-Secretary offered in Committee to consider whether area committees should have powers to influence the levels of council tax. We can see that such powers have their attractions and would reinforce the accountability of councillors to their electors. My right hon. Friend the Secretary of State considered the matter carefully, in consultation with colleagues in the Department of the Environment and the Treasury. It has become clear that such powers would involve substantial legal difficulties, which we have been unable to resolve. I am sorry to have to tell my hon. Friend the Member for Brecon and Radnor (Mr. Evans) that, regretfully, we have concluded that we should not amend the Bill on that issue.

Mr. Alex Carlile *rose—*

Sir Wyn Roberts: Perhaps, before I return to the question asked by the hon. Member for Merthyr Tydfil and Rhymney and touched on by the hon. Member for Caerphilly, I had better give way to the hon. and learned Gentleman.

Mr. Carlile: I do not want the Minister's reference to car parks to pass without asking him to inform the House what would happen, for example, to the reserve built up from the enormous revenue earned from the Welshpool Smithfield car park? Let us suppose that the area committee put the reserve into a bank deposit account and that there was a fund to spend. Can the right hon. Gentleman confirm that, under the scheme that the Government are providing, the area committee—even if it wanted to enter into a contract to put up a hut for the car park attendant—could not do so because it would have no power to do so? The contract for the car park attendant's hut, using the area committee's money, would have to be entered into by the unitary authority which might not want the car park attendant to have a hut. Is not that factually and legally correct, and how does the Minister defend it?

Sir Wyn Roberts: We have said time and again that it is a matter for the area committees, and the authorities must draft schemes for the delegation of functions to the area committees. The schemes and the functions delegated will vary considerably, and it is for the area committees and their respective authorities to decide what kind of scheme is acceptable to them within the parameters that I am laying down at the moment.

I know what the hon. and learned Member for Montgomery (Mr. Carlile) is after—he wants us to declare that the area committees are corporate bodies. But we have made it clear that they are similar to other authority committees. Committees that exist under the present county council system, for example, do not have the corporate status that he is after.

We are going over matters which were, I thought, dealt with adequately in Committee. I have already made the point that committees of local authorities take decisions now on matters for which responsibility has been delegated to them. No one worries now about accountability or responsibility on the part of those committees.

Mr. Wigley: I did not serve on the Committee and, to that extent, I am perhaps a little bit at a loss compared with my colleagues. [HON. MEMBERS: "Not at all."] That may be the case. What happens if an area committee, by virtue of an act of commission or omission, finds itself in a surchargeable position? Are only the councillors on the area committee are liable in law, or is the full authority?

Sir Wyn Roberts: Councillors are responsible for their own actions. Members of the area committees are also members of the full authority and, therefore, as members of the full authority, they might be liable to surcharge. The co-opted members obviously would not carry the same responsibility.

I also emphasise that, as with the present system where the main authority is responsible for its committee's activities, so it would be under our proposed system. The main authority would be responsible for the actions of the members of its area committees who, of course, are also members of the authority.

Mr. Rowlands: That is an amazing statement. It was prefaced by a lengthy statement describing the enormous power of area committees. The committees could have a percentage of the revenues of the local authority and of the block grants of certain amounts of capital expenditure. Is the Minister saying that, if those funds are misappropriated, are not spent in a proper manner and become subject to a district audit, the principal council becomes collectively liable and responsible?

Sir Wyn Roberts: I want to make it clear that, as with the present system, individual councillors will be responsible under the new system for any erroneous decisions which result in their surcharge.

Mr. Paul Murphy (Torfaen): It has been four years since we first started thinking about local government reorganisation in Wales. It is certainly three or four years since the Government issued consultative papers, Green Papers, White Papers, Bills of one sort and Bills of another. Here we are at the very last stage of our proceedings in the House of Commons, and we are still muddled, confused and besotted by the question of area committees. I suspect that if the Committee stage and the stages in the House went on any further, the situation would get worse day by day.

Frankly, I think that this is the most disappointing part of the Bill. It has been conceived in haste and as a direct result of the Government's attempt—in the Minister of State's own words in the Standing Committee—to pacify people in the Conservative party, and mainly the hon. Member for Brecon and Radnor (Mr. Evans). Because the Minister could not deliver—or did not want to deliver, for whatever reason—separate unitary authorities in rural mid-Wales, the Government tried to cobble together this area committee nonsense to appease and to pacify.

The problem is that the Government are then visiting on the whole of local government in Wales a confused, unaccountable and badly thought-out system of local government. I wish to speak briefly to the amendments standing in the names of myself and my hon. Friends which would delete the whole area committee part of the Bill. Frankly, I am convinced that anybody involved in the working and running of local authorities in Wales—county councillors or district councillors—will live to see the folly of this part of the legislation.

We have been landed with a two-tier system when the whole purpose of the Bill is to create a unitary system of

[Mr. Paul Murphy]

local government. We might disagree on some aspects of that, but the idea of having a single tier was the attraction which the Government have tried to sell to the people of wales. But as soon as they came to a political problem —a handful of the majority in one constituency in the middle of rural Wales—the whole reform of local government had to be put out of gear.

There might be some sense in it if the Government said that area committees would be placed in all parts of Wales. My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), who spoke well in the earlier debate, could have area committees in his constituency in Splott, Grangetown and other parts of Cardiff in the same way as there can now apparently be committees in Pembrokeshire, Carmarthenshire and mid-Wales.

Mr. Michael: Or in Penarth.

Mr. Murphy: Indeed. Because the system has been born out of trying to make concessions, only parts of Wales will actually have the benefit—if that is what it is—of area committees. One cannot run a system of local government in Wales unless that system is applicable to all parts. It does not make sense, and it will lead to disharmony and administrative chaos as the years roll by.

The purpose of the Bill is to avoid having to come back here in 20 years' time, or whenever it might be, to change local government all over again. After all, it was just 21 years ago that the former Secretary of State of Wales, Lord Walker, was ultimately responsible for the system that is now disappearing. We may have to come back a damn sight earlier than that if the proposals are put into effect, because they simply will not work.

Look at the confusion behind the Minister's comments about finance. No Department, with all its experts—whether the Treasury, the Department of the Environment or the Welsh Office—could come up a solution to enable the over-complex system of local government finance to apply to area committees. The capping procedures are so complicated and standard spending assessments so difficult to understand that they simply cannot apply to area committees.

The Minister of State's answer on surcharge was totally inadequate. We cannot pass laws that mean that members of local authorities who become members of area committees and put up their hands to vote are not sure whether they will be liable to surcharge. Even worse, if those individuals are members of the parent authority, they may be made liable to surcharge when they have had nothing to do with the decisions of those area committees.

8.30 pm

When we debate Powys, the thrust of the discussion will be about accountability and bringing local government back to the people—certainly to those in mid-Wales, which seems to have been the birthplace of the stuff about area committees. The idea was to maintain community links and civic pride. One simply cannot get anyone in mid-Wales or anywhere else in the Principality enthused about civic pride via an area committee. One has to have a council, with a chairman or mayor, which is properly elected, because only those bodies can attract such civic pride, awareness and enthusiasm. An area committee, or whatever one may wish to call it, is not a council, which is what people require in mid-Wales.

For that reason, the first vote on new clause 11 was designed to give people in every part of Wales the opportunity to decide through a proper plebiscite whether they wanted the proposed new local authority for their area. That is the only way to do it. The only way in which permanence and stability can be given to local government is through the establishment of councils, proper statutory bodies, not the nonsense of area committees, which will satisfy no one. Such committees will not last two years should the Bill reach the statute book this year.

No mention has been made of a possible deadlock. When we discussed Government new clause 13, the Minister referred specifically to safeguards. We want not safeguards but assurances that when there is an irreversible deadlock between an area committee and its parent authority it will be broken. We want to know who will do that. Will it be the Secretary of State, the council itself or some other body such as the proposed new association? Who knows? It seems to me that the possibility of deadlock and conflict between those authorities is by no means remote. We were told that the whole purpose of the Bill was to remove the conflict, deadlock and disharmony that could exist between county councils and district councils.

There are ways to decentralise local government, but that is not what we have been offered. The Minister should consider what his Scottish colleagues have done. The Local Government etc. (Scotland) Bill offers workable, sensible decentralisation.

A number of Welsh local authorities have already set up administrative decentralisation schemes for housing and other responsibilities. Let us encourage that. No mention has been made of our community councils, which are properly elected bodies. They could be given more powers and finance to do what is suggested should be the responsibility of area committees. Far more sensible measures than the Bill could have been adopted.

Nothing has been done because the Government want to improve the system of local democracy, create a better one or improve administration. We were offered area committees simply because the hon. Member for Brecon and Radnor and others wanted to have a different system of local government in mid-Wales. The Government would not agree with their proposals. Doubtless, the hon. Member for Brecon and Radnor will talk at length about Powys. The trouble with him is that he wanted it all his own way. He was willing to take all and give nothing. That is why the Minister cannot come up with a solution for mid-Wales. What we have been offered does not represent that solution, and it most certainly does not represent a proper system of local government throughout the Principality.

Mr. Jonathan Evans: I shall have something further to say when we discuss the boundaries within Powys, but at this stage I shall confine my remarks to the proposals on area committees. If, as the hon. Member for Torfaen (Mr. Murphy) suggested, those proposals were an attempt to pacify me, they have singularly failed, as he will well know.

Throughout our discussions, I have recognised that the Government have made a genuine attempt to create a system in which powers can be exercised at a local level. I have been pleased to see the flexibility that has been shown by the Government and by my right hon. Friend the Secretary of State in the many announcements about the functions to be delivered at local level.

As I made clear in Committee, I considered that it was one thing to create to create a system of local government in which we allowed functions to be devolved to area committees or shire committees, or even council committees. It is also important that we should have an accountable system of local government. The hon. Member for Torfaen spoke about accountability. To my mind, the crucial element of accountability is financial. It is for that reason that I have strongly pressed the case for allowing unitary authorities either to be set up within Powys or to establish area committees with real financial accountability. I am grateful to my right hon. Friend the Secretary of State for his efforts to carry that further, but it would appear that he is unable to say anything positive in that regard today. I am bound to say, therefore, that the prescription that we are offered for area committees is flawed to that extent.

I am deeply concerned about the proposals that are contained in Government amendment No. 54, because the number of councillors who are required to trigger a request for a decentralisation scheme is to be raised from 10 to 15. In the House, we often discuss particular difficulties in our respective parts of Wales. Often, there is a degree of generosity between hon. Members, which is not always evident among those on the Front Benches. On many occasions, I have heard the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) talk about adult unemployment in his constituency. I appreciate that difficulty and I do not dismiss it. I have heard the hon. Member for Neath (Mr. Hain) also speak about similar difficulties. Whatever our political differences, those difficulties are faced by communities that we know.

In rural Wales, one of our problems is sparsity of population. That is understood even by some Opposition Members. Nowhere is that problem more starkly demonstrated than in the proposal to raise the number of councillors required to trigger a decentralisation scheme from 10 to 15. In the Government proposals for Powys, the number of councillors that they suggest should be elected to represent the whole of Radnorshire is 17. If one is to trigger a decentralisation scheme in Radnorshire, one would have to get 15 of the 17 councillors to approve of it. That proportion is not far short of 90 per cent.

In common with many others in the Chamber, I have been on the hustings in the past few weeks. I do not think any hon. Member present, even the hon. Member for Caerphilly (Mr. Davies), who may still be drunk with the excitement of his success last Thursday, if I can put it like that, would ever aspire to get a majority of 90 per cent. That is the target set to activate a decentralisation scheme in Radnorshire. I am bound to say that I doubt whether that would be achieved.

Of the other two authorities in Powys, 38 councillors are allowed for in Montgomeryshire under the guidance issued. Of those 38, 15 represents but 39 per cent. of those who are able to form a judgment. I am absolutely sure that, despite all the criticisms that have been made about area committees, Montgomeryshire and Breconshire will request a decentralisation scheme. Although 52 per cent. of the councillors would need to approve such a scheme in Breconshire, 90 per cent. of the councillors would need to approve one in Radnorshire.

How can such an operation work in practice? If a decentralisation scheme is approved in one part of Powys, and Radnorshire, for instance, cannot secure the 15 councillors required, who will make the local planning decisions which my right hon. Friend the Minister of State said in Committee should be decided at a local level? His statement was very much welcomed in Radnorshire, where we have had a number of wind farm applications and people feel that Radnorshire should decide whether those applications should proceed. We foresee Montgomeryshire and Breconshire having a decentralisation scheme so that they can reach such judgments, yet the whole of Powys will decide what should happen in Radnorshire.

What is the answer to that problem? Unless we have the 15 councillors required, we shall not be entitled to apply for a decentralisation scheme under the Bill. That defeats the purpose of the exercise in which we have been engaged.

Sir Wyn Roberts: My hon. Friend is taking a somewhat depressing view of the position in Radnorshire. Given that all 17 councillors would be members of an area committee, would have been elected to represent that area and could be rejected by their electorate, I should have thought that they would all favour an area committee. Incidentally, we increased the figure from 10 to 15 councillors because, with the smaller number, a small, disgruntled group of 10 councillors might put forward an application for area committee status when they had nothing more than a difference with the major authority.

Mr. Evans: I do not make light of that difficulty. The concern has been expressed by some Opposition Members, many of whom believe in neither area committees nor decentralisation. The bottom line of concern here is the fact that mid-Wales does not have the population to reach the figures set in the Bill. We shall be disadvantaged by that. I suggest that, even at this late stage, a proportion of councillors would be a better option for areas with small populations than a requirement for a particular number of councillors.

On the first part of my right hon. Friend's intervention, I know the mood in Radnorshire well. In Llandrindod Wells there is far more positive support for a centralised Powys authority; within the more rural part of Radnorshire, however, people feel that there should be a separate Radnorshire authority, so one should not presume that it will be easy to get 15 out of 17 councillors to vote for a decentralisation scheme. If it were that easy, the Government would be saying that every councillor within an area must approve every decentralisation scheme proposed. In essence, that is what the amendment asks of Radnorshire.

Mr. Wigley: The Dwyfor area could be in a similar position to Radnorshire. Has the hon. Gentleman taken into account the possibility of a non-homogenous party political dimension? That may not be the case in Powys, which is largely independent, but those differences could exist in some areas. A small minority of councillors in one area might want to latch on to the larger proportion to which they belong in the overall authority and use that as a vested interest to block the creation of a district committee.

Mr. Evans: When we discussed those matters in Committee, I had more faith in the part of the Bill that allows my right hon. Friend the Secretary of State to decide whether a decentralisation scheme should be approved. Some people resist granting such powers to a Secretary of State. But in the scenario outlined by the hon. Gentleman,

[Mr. Evans]

the Secretary of State's power would reassure me far more than racking up the requirement of the number of councillors that will trigger a decentralisation scheme. As a result of the amendment, it will be impossible for many areas of Wales to apply for a decentralisation scheme. I should prefer the requirement to be either to achieve a proportion of councillors within an area or to stick with the current trigger and then rely on the Secretary of State to decide whether a scheme should be approved.

8.45 pm

Mr. Alex Carlile: To answer the Minister of State's direct question to me, I am content with the amendments on co-option. In so far as the decentralisation schemes will work, I hope that those co-options will contribute to that.

The Government amendments and new clauses on decentralisation schemes are extremely disappointing, particularly when set against the speech made in Committee on that subject by the Under-Secretary of State. Although the debate was somewhat confused on some legal issues, which remain unanswered, we had the impression that there was a real possibility that shire committees—as we thought they were to be called—would have certain powers relating to taxation. The Government seemed to be considering the possibility that shire committees would have precepting powers or something similar.

I appreciate that the Government are saying that, under the schemes, certain requirements set out are intended to ensure that the area committees have their own part of the unitary authority budget. It is regrettable, however, that there is no statutory guarantee that that will happen. I cannot accept that it was impossible for the Government to include in the Bill criteria applicable to all area committees which would ensure that they have some precepting powers and a legal status. I regret having to return to that point, but it is a key issue on the credibility of area committees.

Community councils have powers to take legal action in certain circumstances and in respect of certain liabilities. Although those powers are exercised through district councils, at least they exist. A community council can write cheques, enter into commitments and has all the trappings of a council. Indeed, it is a council. It can also own land; many community councils own cemeteries, which are often on large amounts of land. In Welshpool, for example, the community council—the town council—not only owns Welshpool town hall but used to own part of Smithfield, which is some of the most valuable land in the town. Welshpool town council has significant property ownership and property rights, and so it will remain.

The unitary authority will have the power to enter into contracts, to sue and be sued and to employ staff and contractors. It will have corporate status. We are told that area committees will have significant powers, but how can those powers have real meaning if the area committee must turn to the unitary authority whenever a decision is to be made involving spending or receiving money?

The car park hut is a good example. If the area committee decides to give a car park attendant a hut, I understand that it will not even be able to sign the cheque, and that the contract with the hut provider will have to be entered into by the unitary authority. In my constituency, there happens to be a company, Presco, that makes prefabricated buildings and might well provide that car park hut, by bringing it down the road and dropping it off the back of one of its lorries as *it trundles through* town. However, Presco will have to send its invoice to the unitary authority and the area committee will have to ask the unitary authority to agree to pay those few hundred pounds in respect of that invoice.

What about more serious situations? Suppose that an employee—an officer of the council—whose functions are entirely in relation to the area committee, committed a serious act of negligence for which his employing authority was vicariously liable. It might be an act that was approved by the area committee but would not have been approved by the unitary authority had it been consulted, yet the unitary authority is to be held liable for it.

One can also imagine tremendous disputes between area committees and unitary authorities about planning decisions. Suppose that the area committee reaches a planning decision against which there is an appeal. The appeal is heard and the Welsh Office inspector finds against the authority and makes an order for substantial costs, running into tens of thousands of pounds. Is it right that the unitary authority should pick up the bill?

Mr. Rowlands: I have followed the hon. and learned Gentleman's speech closely. Given what the Minister said about the devolved responsibility in relation to share of revenue and block grants, does it not mean that the area committee will have to have an almost fully fledged finance department of its own to conduct those functions?

Mr. Carlile: I entirely agree with the hon. Gentleman. He made a significant contribution when we discussed those issues in Committee. I have to say, and I am sure that he shares my view, that none of our doubts has been resolved by what has been said today. The Government have fought and fought to avoid making the right decision, which was to create the unitary authorities in mid-Wales. For reasons that can be only political, they have decided not to do so, but, at the same time, they have managed to displease their own side. We are left with an extraordinary mess.

I suspect that I speak for councillors who are members of the existing Powys county council and for those who are members of the district councils when I tell the Minister of State that councillors in rural mid-Wales do not find it easy to understand the way in which those area committees will work.

Perhaps the Government would really like those area committees to wither on the vine. Here we come to Government amendment No. 54, on which, Madam Deputy Speaker, I hope that we can be given the opportunity to vote separately at the appropriate time in our considerations tonight. Government amendment No. 54 was carefully avoided by the Minister of State when he introduced the group of amendments, but it is extremely important. In many ways, it is the most important part of the group. The fons et origo of an area committee is that resolution of councillors to have an area committee. For reasons that have not been explained by the Minister, he referred to some renegade councillors. I shall discuss that later.

It has been decided to increase by 50 per cent. the number of councillors who can ask for an area committee. The effect that that will have on old counties such as

Radnorshire has been graphically, adequately and fully explained by the hon. Member for Brecon and Radnor (Mr. Evans). As for the renegade councillors, I thought that it had been repeatedly emphasised, both in the Bill and in discussions about the Bill, that it will be for the Secretary of State to decide whether to allow a decentralisation scheme to proceed. If it is a renegade scheme, he will not allow it to proceed, so that disposes of the renegade councillors. It is no argument whatsoever for increasing the number from 10 to 15.

The Government have had years to think about that. Why were we not told in Committee that the Government thought that 10 was not the right number? Why should there be such a dramatic increase? If they want to increase it, why not to 12—a small increase which might cater more successfully for the type of situation that could confront us in Radnorshire?

The Minister is all too sanguine about what is likely to happen in Radnorshire. There are county councillors who honestly believe, and can express those beliefs well, that decentralisation schemes are a non-starter. They do not want them. Some of them are independent councillors and they are very independent-minded. If two of those councillors are elected to the new unitary authority to represent parts of Radnorshire, that is the end of Radnorshire as a decentralised area—and then what happens?

Is the Minister prepared to countenance planning decisions about wind farms for Radnorshire being taken by a planning committee that includes councillors from Montgomeryshire who may be feeling a little nervous about yet another wind farm being proposed for Montgomeryshire and who therefore decide, "Let's shove it over the border into the constituency of the hon. Member for Brecon and Radnor"? One can imagine Radnorshire being at the deepest possible disadvantage in that situation, in which, if the Minister's promises are delivered, Montgomeryshire councillors decide all types of things in their area committee and Breconshire county councillors decide matters in their area committee, but everything that happens in Radnorshire has to be decided by all the councillors from Radnorshire, Montgomeryshire and Breconshire.

Earlier in these debates, the Minister of State made an appeal to common sense. In relation to those decentralisation schemes, especially the proposal in Government amendment No. 54, I am afraid that common sense has taken to yogic flying. I ask the Minister of State and the Secretary of State, even at this late stage, to reconsider those proposals, especially Government amendment No. 54, once again. If they do not, we shall have the most unholy mess in mid-Wales, and probably in parts of north Wales, too.

Mr. David Hanson (Delyn): Although the Minister of State has covered a number of the issues relating to decentralisation, many of us still support the arguments advanced by my hon. Friend the Member for Torfaen (Mr. Murphy). The decentralisation scheme in the Bill, and in the amendments which strengthen it, are not about decentralisation: they are a recipe for confusion and—despite what the hon. and learned Member for Montgomery (Mr. Carlile) said—for a continued opt-out by the sections of an authority that remain dissatisfied with an electoral result and with the services that the authority provides.

I am very worried about the negative way in which the Minister of State now intends to strengthen the area committees—a development which has occurred since the Committee stage. Throughout consideration of the Bill, the Government have maintained that they want to do away with a two-tier system of local government. Yet the establishment of area committees will continue to impose on ratepayers and service receivers of many Welsh authorities precisely that two-tier system. The proposals will continue the confusion of responsibilities as between the committees and the unitary authorities. There is still no clear separation of powers and responsibilities in the system.

9 pm

There will be unclear lines of accountability, too. There will be a patchwork of services in certain areas simply because people who are not satisfied with the composition of a unitary authority will opt out of it. I am not against decentralisation in principle; it is a sound idea. But the proposed system will ensure that dissatisfied councillors can appeal to the Secretary of State—originally 10 of them, now 15.

In an authority such as mine, the proposed Flintshire, a small number of councillors will be able to opt out, perhaps as soon as two or three weeks after an election for a shadow authority in which members of the authority were soundly defeated. Areas such as mine need cross-subsidisation between the industrial belt and the rural belt. But 15 out of 70 or so councillors in Flintshire, perhaps in part of the rural area, could opt out by applying to the Secretary of State for Wales, possibly taking with them a large part of a budget which is likely to have been generated by the whole borough. People throughout the borough have needs that should be met, and a small number of people representing only a small part of the borough should not be able to impede that.

Local accountability for the provision of services will not be clear. For instance, an area committee may be surcharged and all the members of the unitary authority may face a surcharge along with it. New clause 14 will make matters worse. The unitary authority will have little or no control over what the area committee does. The Government new clause states that a unitary authority

"shall not, except with the agreement of the committee, abolish the committee or alter any arrangements in force with respect to the committee which were made in accordance with the scheme".

To all intents and purposes, then, the area committee will be a separate legal entity—but its actions can have an impact on members of a unitary authority, who might have to pick up the financial tab for actions taken by the area committee, even though the authority has no responsibility for the committee's actions—it has no influence over the committee at all.

In several areas, planning for one, a small number of councillors who have opted out of unitary authority control will be able to take decisions about important services. Do we want 15 out of 73 councillors to be able to blow holes in district plans long since agreed by the unitary authority, subject as those 15 will be to all sorts of local pressures? These planning matters will no doubt be important to the 15 local councillors, but they may have no relevance to the borough's strategic development plans in respect of education, rural areas and transport. That will clearly not be in the interests of the borough as a whole, yet the unitary authority will have no influence over what an area committee does.

There will also be a lack of co-ordination across a borough. In Flintshire, I want a coterminous unitary authority that acts in the interests of all its ratepayers, but that cannot happen as long as 15 Conservative, rural or Labour councillors can opt out and determine the priorities of their own area merely on the basis of what they think right for it. Why create a unitary authority system if one is to perpetuate, as the Minister is, that element of the two-tier system? There will be about 114,000 people living in my local authority. Why will 15 members be able to opt out and go their own way in a whole range of areas? That is not in the interests of the borough as a whole or of the people whom those 15 councillors represent. It is a recipe for confusion, lack of accountability, potential fraud, and for legal cases galore, which will keep many a lawyer in business for many years to come.

Although the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) and the hon. and learned Member for Montgomery—perhaps even the hon. Member for Brecon and Radnor (Mr. Evans)—would welcome that, at the end of the day, I feel that the system will not work. It will not deliver the services that people want. It will not provide a coherent strategy for a geographical area. It will not lead to effective Government. Surely the Bill is about effective Government.

I am concerned about co-option, which the Minister mentioned earlier and which features in the new clause. If we are to have co-option of individual members to a small local area committee, I should like to hear from the Minister a little more about the responsibilities of those individuals; for example, how they are accountable for the services, who they can be, and how they fit into local government. Under the provisions of the Bill as drafted, and with the proposed new clauses, individuals who, by providing themselves with a smaller area committee, effectively opt out of local authority control, can draw from that local area, not just other councillors, perhaps from outside the area, but individuals who are now co-opted, who are not in any way accountable to the services and to the ratepayers who are covered by that area committee, and yet are, perhaps, appointed by a small number of people as opposed to a large unitary authority as a whole.

What we are seeing is not decentralisation, but an opting-out of a wider view of local authority services, and with an area committee comprising a small number of councillors determining what they see as best for that small geographical area without a view to the needs of the unitary authority or the community as a whole. For those reasons, the Minister should go back to the drawing board, accept the amendments that have been tabled in the name of my hon. Friend the Member for Torfaen, withdraw the new clauses and let us have a decentralisation system that will work and is not a recipe for disaster.

Mr. Llwyd: I echo the words of the hon. Member for Delyn (Mr. Hanson). By definition, there is a conflict between the members of an area committee and the full parent authority, because, clearly, they will wish to do the best for their district. In Committee, we heard the area committee being transformed into a shire committee, which was meant to lull us all into a false sense of security.

Mr. Rowlands: Pacify us.

Mr. Llwyd: I am reminded that the word "pacify" was used. It did not work. We were supposed to think that we were in line for something worth while, but when one looks at what we are being offered, one sees that it is worthless. It is a half-baked, half-hearted idea, and is a good example of policy on the hoof.

I refer briefly to one or two assurances that were given by the Under-Secretary of State during the debates. He said:

> "The case has been made for shire committees to be responsible for a wide range of functions, much wider than those carried out by present district councils. Finance follows functions, of course . . .
>
> For example, all the schemes for a particular authority might provide that a minimum of one third of the authority's budget should be delegated to the shire committee."

Later, he said:

> "It should be possible for schemes to establish arrangements whereby shire committees would have responsibility for administering supplementary credit approval-supported projects for functions which have been delegated to them and receive an agreed allocation of capital resources for functions delegated to them."

Finally, he said:

> "We are looking forward to the greatest practical level of decision-making by the shire committee. In line with the estimate that I have already given and leaving aside education, we foresee about 65 per cent. of the decisions on functions and finance being determined by the shire committee.—[*Official Report, Standing Committee A*, 10 May 1994; c. 384-86.]

Much of that now seems to have evaporated. Having heard the Minister of State open the debate, I am now less happy about those assurances than I was when I first heard them.

Sir Wyn Roberts: Let me correct the hon. Gentleman. I listened carefully to his quotation from the speech made by my hon. Friend the Parliamentary Under-Secretary of State in Committee; I repeated the greater part of that in the assurances that I gave earlier this evening.

Mr. Llwyd: If the Minister is in the mood to intervene, perhaps he will enlighten me on a certain point. Why has the number of councillors who would have to call for the area committee risen from 10 to 15? Will the Minister explain that again, briefly? Is there any other reason for it, apart from the "rogue councillor" idea, which I consider rather preposterous? If the Minister explained now, it might even shorten our proceedings.

Sir Wyn Roberts: I have already explained. We want the applications for area committee status to be soundly based and to relate to local identity and community loyalty. We do not want the kind of development to which the hon. Member for Delyn (Mr. Hanson) referred, in which a group of councillors who are out of sympathy with the unitary authority say, "Let us break away and form an area committee." I believe that that is less likely to happen if the number is fixed at about 15.

Mr. Llwyd: With respect, I do not accept that argument for a moment. I think that there is a good deal of mischief behind the new clause. Meirionnydd's area committee is now likely to have 21 members, or possibly 22, 75 per cent. of whom will have to decide whether to move in. The hon. Member for Brecon and Radnor (Mr. Evans) is faced with what is potentially an even more difficult problem: if one or two rogue councillors in Radnorshire decide that they do not want an area committee, they can dictate the position for the rest. That, surely, is not an exercise in good democratic practice.

Sir Wyn Roberts: The hon. Gentleman forgets that members of the area committee will also be members of the unitary authority itself. They can have two for the price of one, as it were. I cannot imagine circumstances in which area members would refuse an area committee.

Mr. Llwyd: In that case, why are we arguing about figures? If no one is going to argue against the establishment of an area committee, why are we wasting good parliamentary time arguing about whether the figure should be 10 or 15? We are getting nowhere. It is like swimming in treacle.

I am dissatisfied with what the Minister has said. I think that the proposal is potentially mischievous; it will not help Brecon and Radnor, Dwyfor, Meirionnydd and various other parts of Wales. I have always thought that the legislative process is about making laws that will not be challenged day in, day out in constitutional courts and so forth. Here we have a potential problem that may blow up and— as the hon. and learned Member for Montgomery (Mr. Carlile) suggested— prove to be a recipe for the whole idea to wither on the vine.

The hon. Member for Delyn made the general point that when we embarked on the Bill we were considering doing away with two-tier government, which allegedly caused confusion, complications, delay and unnecessary tension. In its stead, we are now creating a similar position involving much more confusion. We do not know what the precise legal position on contracts will be. I shall not go over the argument again, but we are even more confused now and I am sure that, regrettably, things will get worse.

In Committee, we called for clarification. Before it sat, I wrote to the Secretary of State about the matter, which was of personal interest. I still say that unitary status for Meirionnydd, Montgomery and Brecon and Radnor is the answer. The Government's attempt to head off the rebellion and pacify the people of mid-Wales is an ill-thought-out, knee-jerk reaction. The people of mid-Wales will not be pacified by the Government's half-baked plan, and in making that point I am sure that I speak for hon. Members on both sides of the House.

Clause 27 is a half-baked proposal. The Government have said that 95 per cent. of housing management must be put out to compulsory competitive tender. The guidance states that area committees will not be allowed to manage housing direct service organisations.

9.15 pm

Reference has been made to the Powys pudding. I presume that responsibility for social services will be divided between the two tiers— the unitary authority per se and the area committee. The committees, therefore, will be responsible for some services, but will have no control over financing, staff or property resources. If a committee is not a legal entity, it cannot be responsible directly for those matters. A service will not be delivered unless the committees are in control of such major responsibilities.

If area committees are established— if they are baked a little more in the oven— they will have a thankless job. Councillors will stand for election and will merely say, "I am sorry, but I am unable to produce that for you because of what the parent council said. It holds the purse strings; therefore, I am not in a position to deliver anything." I urge the Minister to think again. I always think that it is a gross mistake to introduce legislation that has inherent problems.

I have talked about whether area committees should have 10 or 15 members. I am still not persuaded and I urge the Minister to consider the matter again because it will undoubtedly cause problems in rural Wales.

The financial provisions should be strengthened. We have heard that various formulae will be used, but I am not sure what will ensue or whether the Secretary of State will approve any application. The conundrum that we are all in highlights the fact that, apart from Meirionnydd, the mid-Wales authorities, as approved in Committee, should be allowed to stand in their own right.

The Government are the authors of their own misfortune. I do not like to suggest that the legislation bodes ill, but I am certain that many problems will result throughout Wales because of the ill-thought-out way in which the proposals have been presented. Once more, I urge the Minister to apply some common sense to the situation and to allow Brecon and Radnor, Montgomery and Meirionnydd to have their richly deserved unitary status. The alternative is half-baked, will not work and is a Pandora's box.

Mr. Hain: I do not wish to offend the Minister because we are all quite fond of him really, but I must say that what we have witnessed is an extraordinary tour de force of fudging, fixing and fiddling: the more he spoke, the more contradictions emerged. He would have been better advised simply to read out the brief provided by his officials, keep his head down and not take any interventions because the more he elaborated, the more contradictions he uttered.

Let us consider the question of surcharging. If I have interpreted the Minister's comments correctly, it now seems that if, as the result of a decision taken by an area committee, a surcharge falls on the whole council, individual councillors are liable to be surcharged.

Sir Wyn Roberts: That is not the position that I outlined. The surcharge falls on the individual councillors involved in taking the decision, whatever it may have been.

Mr. Hain: Is the Minister saying that although the corporate body—the whole council—may be surcharged, individual councillors cannot be surcharged as a result of an area committee's decision? Will he confirm that definitely?

Sir Wyn Roberts: Clearly, cases have to be dealt with individually, but the fundamental principle of surcharging, in so far as it affects individual councillors, is that it is related directly to decisions that they have taken as individual councillors.

Hon. Members: Or failed to take.

Mr. Hain: Indeed. That is a grey area, but many other matters raised by the Minister are not at all grey.

What started off, in the Minister's notorious words, as an exercise in pacification has ended up as an exercise in obfuscation. We are recreating a two-tier system of government—precisely the system that the Bill was supposed to abolish. I am not a believer in reincarnation, but the Bill is simply an exercise in legislative reincarnation. Having been killed off, the two-tier system is now rising up in a different form.

Assuming that amendments Nos. 54 and 55 are accepted, one of the most obnoxious features of the Bill is that, on the whim of 15—previously 10—councillors, a

[Mr. Hain]

section of the council can effectively opt out. That will have the extremely deleterious effect of preventing local authorities—the new unitary authorities—from carrying out their functions and exercising democracy. Opting out and fragmentation will result in decisions that will negate the possibility of a strategic approach to policy and the ordering of priorities in the best interest of the public at large rather than that of particular sections of the community.

Subject to possible disciplinary action by my highers and betters on Labour's Front Bench, I must admit that I am inclined to accept amendments Nos. 54 and 55 on the basis that they appear to me to be wrecking amendments. It is unusual for the Government to table wrecking amendments to their own legislation, but to increase the number of councillors from 10 to 15 could severely injure the principle of the area committees, a point made by the hon. Members for Meirionnydd Nant Conwy (Mr. Llwyd) and for Brecon and Radnor (Mr. Evans). I am therefore attracted to the amendments, and I hope that they are accepted. *[Interruption.]* It appears that my hon. Friend the Member for Caerphilly (Mr. Davies) will let me off if I vote for them.

The Bill is illogical, especially in terms of the so-called decentralisation proposals. A better description would be "opting-out" proposals. Let us consider the contrast between education and social services policies and housing policies. In education, there will be one syllabus and one approach decided [illegible] the whole of a unitary authority, but it appears that the area committee can determine its own housing allocation priorities. That is illogical because, in principle, there is no difference between delivering housing and delivering education services.

Let us take the issue of planning. It seems extraordinary that an area committee could override or at least contradict the decision of a unitary authority in respect of planning. Consider a thorny local issue in Neath, for example—the question of secure accommodation for young offenders. In this case, West Glamorgan county council took the decision to site some young offenders' secure accommodation in the Neath area—a decision which I happen to support as the local Member of Parliament but which was met with fierce resistance from local people who felt that it was the wrong spot and who had many legitimate arguments. Is the Minister saying—this is my reading of the new clause—that the area committee could override a strategic decision to supply secure accommodation by refusing planning permission in that particular spot in the unitary authority? That is a classic example of the point that I am trying to illustrate. An overall policy with strategic implications not only for that area but, in this case, for the whole of south Wales, could be overridden by part of the authority, objecting to it simply on a parochial basis.

There are many other illogicalities and policy conflicts to which I could draw attention. However, in respect of Neath, Port Talbot and Lliw, without revisiting the arguments in principle about the boundaries of the new authority and whether they are appropriate—I believe that they are not—there will be severe tensions in the new unitary authority between upper Lliw, Neath and Port Talbot. A faction of dissident councillors—either in those areas on a united basis or in parts of those areas—who set up an area authority and opted out, could severely disable the operation of the new authority. Given that the reorganisation is proceeding against local wishes—it is proceeding because the Government are forcing it through—the new unitary authority will have to establish a new basis on which to work together, new trust and a whole new approach towards getting together people who have previously been suspicious of and hostile to each other. Suddenly, the option of an area committee opting out will open up and that will be very dangerous.

The real aim of the new clause is to continue the process that the Government have embarked on and on which they have set their heart—the process of smashing local democracy. That is their task and their aim. They have an obsession with opting out which makes me believe that the real objective and the hidden agenda is to paralyse local government and the new unitary authorities. The Government already have powers to cap them. In some cases—such as that of the metropolitan authorities in England—the Government have abolished local councils because they were doing things to which they objected. They have further disabled local authorities through the processes of opting out, contracting out and the sale of council housing and by preventing them from building new homes. On top of that, they are seeking to fragment and hive off sections of the local authorities. It all adds up to a quite clear prescription for paralysing and disabling the operations of local democracy, especially where it is Labour local democracy and where local people are attempting to implement policies in accord with their wishes rather than the wishes of an extremely elitist, centralising central Government.

Mr. Ron Davies: The debate demonstrates the complete weakness of the Government's position on the Bill. It was absolutely clear in Committee—certainly all hon. Members who represent the Powys and mid-Wales area, including Meirionnydd, and all Opposition Members have made it clear—that the answer to the problem of mid-Wales is separate, unitary authorities for Montgomery, Brecon and Radnor and Meirionnydd. We have made that absolutely clear and we have voted for it consistently.

It is a pity that the hon. Member for Brecon and Radnor (Mr. Evans) did not vote with us and did not mobilise those Conservative Members, who we are told are malcontents and who are opposed to what the Government are doing and who, we are told—or at least as the hon. Member for Brecon and Radnor tells the press—are prepared to assist him in his project of destroying Powys. We had an opportunity to do that earlier. The hon. Member for Brecon and Radnor would have had that opportunity if he had mobilised his people and voted with us. We faced a majority of 31 against us. If the hon. Gentleman had managed to get 16 people to vote with him, he could have had what he wanted, and what we all wanted, which was the opportunity for democratic decisions to be taken by our local authorities. However, that did not happen.

As a consequence, the hon. Member for Brecon and Radnor has missed out. He has missed the opportunity to have unitary authorities in mid-Wales and he also has a very poor compromise. The Government are insisting on the Powys model. In an attempt to offset the deficiencies in that model which the Government know exist, they have now introduced the system of area committees to pacify, among other people, the hon. Member for Brecon and Radnor.

The hon. Member for Brecon and Radnor is now the biggest critic of the area committees. He has pointed out the deficiencies in the financial arrangements and in accountability between the principal council and the area committees. As the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) and the hon. and learned Member for Montgomery (Mr. Carlile) pointed out, with regard to planning, finance and decision making, the whole area is fraught with difficulties.

9.30 pm

I do not say this unkindly because I know that the Under-Secretary of State for Wales was caught out a few times in Committee, but he was absolutely clueless. We asked him about accountability, the district auditor, the ombudsman and surcharge, but he did not have a clue. He promised to consider those points and to come back to us. He has come back in the form of the Minister of State, but the Minister of State has shed no light on those deliberations.

The Minister of State is at least as confused and unsure as the Under-Secretary was in Committee a couple of weeks ago. The Minister of State has been asked detailed, specific questions about what will happen and about the line of responsibility between the supposed area committees and the principal councils, but he has shed no light on that.

Our view is absolutely clear. The answer to the problem is to restore separate unitary authorities and to strike out all the provisions relating to area committees. That is what we voted for in Committee and that remains our position tonight.

The area committees do not resolve the Powys problem. Instead, they undermine what we are told is the central provision of the Bill—the creation of unitary authorities. The Government are undermining Powys. In their botched attempt to achieve a compromise, they are including a mischief in the Bill which could be used throughout the length and breadth of Wales to undermine and to destroy the principle of unitary authorities.

Mr. Rowlands: Is my hon. Friend clear whether the area committees would have to produce service delivery plans? If not, how will unitary authorities provide a service delivery plan when they will not have responsibility for the money or for delivering services in the area?

Mr. Davies: No doubt the Minister of State will shed his usual incisive light on that question. Although I may be paraphrasing in a pre-emptive way what the Minister of State is about to say, no doubt he will say that it is a matter for the principal councils. If an application is made and a scheme is put to him in which the question of service delivery plans is devolved to the area committees and he approves it, that must be a matter for the area committees. That would be the Minister of State's answer and that is the Government's position.

As my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) would rightly point out, we are now being asked to buy a pig in a poke. We do not know what conditions, principles, values or attitudes will determine the Government's approval of the schemes which have yet to be prepared. That is the reality of the situation that we are facing.

My hon. Friend the Member for Neath (Mr. Hain) suggested that we would take issue with him in respect of amendment No. 54. He said that he was tempted to support that amendment. Amendment No. 54 increases from 10 to 15 the number of councillors required to make an application for the establishment of an area committee. It is clear that the establishment of area committees is an arbitrary invention. The issue was completely mauled in Committee. However, I understand why my hon. Friend the Member for Neath is tempted by amendment No. 54. It will make the establishment of area committees more difficult. However, if my hon. Friend votes for that amendment, he will endorse the principle of area committees. He will be saying that in some circumstances, albeit these circumstances as opposed to those circumstances, he is prepared to endorse the idea of area committees.

Having examined the matter at length, having considered it in Committee and having heard the debate this evening—the Government have had the opportunity to come up with the answers, but they have not come up with one—I am even more convinced that the appropriate thing for us now to do is to strike out the provisions.

I understand the difficulty that the hon. and learned Member for Montgomery is in. He regards area committees as perhaps an unacceptable palliative, but nevertheless, if that is all that is on offer, I presume that he wants it. Therefore, I can understand why he wants to oppose a measure which will make that more difficult. If he is minded to call a Division, I will not recommend that my hon. Friends support him.

Much as I sympathise with the hon. and learned Gentleman's position, I hope that he will understand that our position is quite clear: if we were to vote on amendment No. 54, either supporting it or opposing it, that would imply a degree of acceptance of the principle of area committees. We do not endorse the principle; we think that the whole thing is wrong. The appropriate course of action was to have agreed our amendment in Committee and entirely deleted clauses 27 and 28.

Sir Wyn Roberts: Very briefly, I am genuinely surprised at Opposition Members' view of area committees. After all, area committees are not dissimilar to committees of main authorities. We are very familiar with them; they include the education committees, planning committees and so on of main councils. Opposition Members know the answers to many of the difficulties that they anticipate, as the hon. Member for Caerphilly (Mr. Davies) showed.

This is an attempt to try to meet the community loyalty and local identity that we know exist in many parts of Wales that cannot qualify for unitary authorities of their own. We would be very hesitant about that and about their strength to maintain those authorities. We have gone as far as we possibly can to ensure the delegation of powers. We have enabled such delegation to a far greater extent than is available under the present system, but, of course, much depends on the schemes that are worked out for the delegation of powers to area authorities.

I believe that the schemes and the proposition of area committees will be attractive not only in mid-Wales but in Camarthenshire, Caernarfonshire and Meirionnyddshire because they have the unique feature that they cannot be changed without their consent.

Mr. Alex Carlile: If it is the right hon. Gentleman's aim to ensure that there is as much local involvement as possible and that area committees should provide that, why is he not prepared to say, "Well, perhaps for certain areas, 15 members are too many," and that, therefore, on reflection, as long as 50 per cent. of the members representing that area request an area committee, a scheme will have to be prepared?

I do not think that the hon. Member for Brecon and Radnor (Mr. Evans)—I think that he agrees on this point —and I are asking very much when we request such a concession. Surely it is worth a final re-think on that basis if the right hon. Gentleman really wants areas such as Radnorshire to have an area committee.

Sir Wyn Roberts: The hon. and learned Member for Montgomery (Mr. Carlile) and others are anticipating a difficulty that will not occur. If there are 17 councillors in Radnorshire—Radnorshire is the smallest area that I can think of where there might be an area committee—I cannot see that the proposition will not be attractive to all 17 councillors, bearing in mind that they are members of the unitary authority as well.

Mr. Rowlands: I do not want to make a speech; I simply want to elicit some information from the Minister. Earlier, I asked a simple question, to which I still have not received an answer. In clause 26 of the Bill, the unitary authorities are given a specific duty to prepare service delivery plans. How will they be able to prepare such plans when they will have neither the power nor the responsibility for delivering the services if area committees are established? Can the Minister explain how that will happen?

Sir Wyn Roberts: Obviously, in so far as the unitary authorities have delegated to an area committee, the area committee will take responsibility for meeting that part of the service delivery plan. There is nothing unusual in that. Currently, we have county committees which are part of the county authority, and there is collaboration between committees and the main authority. We anticipate that that will also occur where we have area committees of unitary authorities.

Mr. Rowlands: In clause 26, the draft proposals for service delivery plans must be prepared by November 1995 —unitary authorities will be putting out service delivery plans before the area committees have been established. They will offer to deliver services and subsequently find that they will not have the power or responsibility for delivering the service plans. They will not even have control over the money. How will that conundrum be solved?

Sir Wyn Roberts: I think that the hon. Gentleman well understands how it will be solved. In so far as the unitary authority delegates responsibility for the service delivery plan, the committee will be responsible for meeting the requirements.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 15

AREA COMMITTEES: MEMBERSHIP ETC.

'.—(1) This section applies where an area committee has been established by a council in accordance with an approved decentralisation scheme.

(2) The provisions of the 1972 Act with respect to arrangements for the discharge of functions by committees of local authorities and sub-committees, and the appointment of such committees and sub-committees, shall be subject to this section and section *(Sub-committees of area committees).*

(3) Every person who is a member of the council for an electoral division which falls within the area for which the committee is established shall be entitled to be appointed to the committee at his request.

(4) The committee may appoint additional persons, including members of the council who are not entitled to membership of the committee under subsection (3), as members of the committee.

(5) No other persons shall be eligible for appointment to the committee.

(6) In this section, in relation to an area committee, "co-opted member" means any member appointed by the committee under subsection (4).

(7) Where the Secretary of State has given a direction under section 297 of the Education Act 1993 (power to direct appointment of members of certain committees) which applies to the committee and can only be complied with by the appointment of one or more additional members to the committee, it shall be the duty of the committee to exercise its powers of appointment to secure compliance with the direction.

(8) A co-opted member of an area committee shall not be entitled to vote at any meeting of the committee on any question which falls to be decided at that meeting.

(9) Nothing in subsection (8) shall prevent the appointment of a person, in compliance with a direction under section 297 of the Act of 1993, as a voting member of an area committee.

(10) In the application of section 101 of the 1972 Act (arrangement for discharge of functions by local authorities) in relation to the committee—

- (a) subsection (1) shall have effect as if it gave power to the committee, if authorised to do so by the decentralisation scheme, to arrange for the discharge of any of its functions by a local authority other than the authority who made the scheme;
- (b) subsection (2) shall have effect with the omission of the words "unless the local authority otherwise direct" and (in the second place where they occur) the words "the local authority or".

(11) Sections 102(3) of the 1972 Act (power to include persons who are not members of the local authority concerned) and 15 of the Local Government and Housing Act 1989 (political balance on committees) shall not apply in relation to membership of the committee.

(12) The term of office of each of the co-opted members of an area committee shall be fixed by the committee.

(13) Section 102(2) of the 1972 Act (number of members of committee and terms of office) shall not apply in relation to the committee.

(14) In the case of an appointment made in order to comply with a direction under section 297 of the Act of 1993, the committee shall exercise its powers under subsection (12) subject to any provision of the direction relating to terms of office.'.—*[Sir Wyn Roberts.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 18

SUB-COMMITTEES OF AREA COMMITTEES

'.—(1) In this section "sub-committee" means a sub-committee of an area committee.

(2) The members of a sub-committee shall be appointed by the area committee from among persons who are—

- (a) members of the area committee appointed under subsection (3) of section (*Area committees: membership etc.*); or
- (b) entitled to be members of the area committee by virtue of that subsection.

(3) Subject to subsection (10), a sub-committee may appoint additional persons, including persons who are not members of the area committee concerned, as members of the sub-committee.

(4) No other persons shall be eligible for appointment to a sub-committee.

(5) In this section, in relation to a sub-committee, "co-opted member" means any member of the sub-committee appointed under subsection (3).

(6) Where the Secretary of State has given a direction under section 297 of the Education Act 1993 (power to direct appointment of members of certain committees) which applies to a sub-committee, it shall be the duty of the area committee concerned and the sub-committee to secure compliance with the direction.

(7) A co-opted member of a sub-committee shall not be entitled to vote at any meeting of the sub-committee on any question which falls to be decided at that meeting.

(8) Nothing in subsection (7) shall prevent the appointment of a person in compliance with a direction under section 297 of the Act of 1993 as a voting member of a sub-committee.

(9) Sections 102(3) of the 1972 Act (power to include persons who are not members of the local authority concerned) and 15 of the Local Government and Housing Act 1989 (political balance on committees) shall not apply in relation to membership of a sub-committee.

(10) The number of members of a sub-committee and their terms of office shall be fixed by the area committee concerned.

(11) Section 102(2) of the 1972 Act (number of members of committee and terms of office) shall not apply in relation to the sub-committee.

(12) In the case of an appointment made in order to comply with a direction under section 297 of the Act of 1993, the area committee shall exercise its powers under subsection (10) subject to any provision of the direction relating to terms of office.'.—*[Sir Wyn Roberts.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 6

FINANCING OF LOCAL GOVERNMENT IN WALES

'.—The Secretary of State, after consulting the Treasury, shall within six months of this Act coming into force present a report to Parliament on methods to restructure the financing of local government in Wales; such report shall include consideration of—

(a) the feasibility of local government raising a local income tax, or receiving a proportion of the VAT and corporation tax arising from businesses within their area;

(b) a tax placed upon second homes in Wales, the proceeds of which shall accrue to local government; and

(c) the abolition of council tax and the uniform business rate.'.—*[Mr. Wigley.]*

Brought up, and read the First time.

Mr. Wigley: I beg to move, That the clause be read a Second time.

New clause 6 deals with an essential aspect of local government: finance. I tabled the new clause very much as a probing new clause because in our discussions so far on the Bill we feel that the question of financing local government in Wales has not been adequately dealt with.

As hon. Members will see, under new clause 6 the Secretary of State would, within six months of the Act coming into force, report to Parliament on methods of restructuring the financing of local government in Wales. The new clause looks specifically at three aspects: first, the possibility of raising a local income tax and taking a proportion of value added tax or corporation tax within Wales; secondly, a levy on second homes; thirdly, the abolition of council tax and the uniform business rate.

I do not apologise for pressing this matter at this stage, because I had thought that we might be moving towards coherent consideration of local government financing as well as structures when on 5 December 1990 the then Secretary of State for the Environment made a statement to the House and mentioned doing away with the hated poll tax. He made it clear when discussing that tax that he believed that there was an argument for considering the structures of local government along with its financing, which appealed to us very much.

Back in the 1970s, we gave some substantive evidence to the Layfield committee when it considered the financing of local government. In paragraph 3 of our evidence, we stated that finance should not be

> "considered in isolation from local government boundary structures or functions . . . we believe all these aspects of local government to be interdependent."

We warmly welcomed the Government's comment in 1990 that they were considering finance and intended to consider structures and functions at the same time.

9.45 pm

Thinking back to Layfield in the mid-1970s, it is worth noting that the committee came out in favour of a local income tax. On page 281 of its report, it stated that local income tax

> "is a feasible source of local revenue for non-metropolitan counties, metropolitan districts, Scottish regions and islands authorities, and possible London boroughs."

If that was possible in the 1970s, how much more practical and possible is that source of finance for local government now, with the move to the computerisation of so much information? If the argument was valid then, it is even more valid now.

Let us consider the pattern in other countries. Many of them source a good proportion of local government revenue from taxation on income and profits. In Sweden, Finland, Denmark, Norway, Switzerland, Luxembourg, Germany and Belgium, more than 80 per cent. of local authority income comes from taxation on income and profits. My figures are from the late 1980s and may have changed a little during the past few years. That is a far more acceptable means of raising income for local government as it is more progressive.

We all know about the anomalies of the council tax system. It may not be so bad as the poll tax system, but it contains serious anomalies and causes serious hardship. To make the system in any way acceptable, the Government have had to move more and more to financing local government in Wales from the central Exchequer so that only a small proportion of Welsh local government income comes from its variable, independent source of finance—the council tax. I shall give the figures in a moment.

The freedom of local government is eroded if it does not have the financial freedoms and responsibilities which go hand in hand. One of the problems is that if one moves to a system where up to 90 per cent. of local authority income comes from a central Exchequer by way of rate support grant, revenue support grant, or whatever the terminology may be at the time, it enables central Government to put stringent conditions on the money which goes to local government and necessarily takes away its freedom.

Our new clause, which ensures that the Secretary of State will report on other possibilities, suggests that a certain proportion of the value added tax raised in Wales should go, as of right, to Welsh local authorities. After all, the tax is highly geographically definable because it arises at a certain point which, in computer terms, can be cross-coded to postcodes and easily identified with local authority areas. Of the 17.5 per cent. raised in VAT, a certain proportion—perhaps 3 percentage points—should go automatically to local authorities. Likewise, a proportion of corporation tax—10 per cent., or whatever—should go to local authorities.

By ensuring that those proportions of central taxation go to authorities as of right, and by ensuring flexibility in local income tax, we could do away with the council tax and the uniform business rate. There is no doubt that the uniform business rate is a severe burden. It is an overhead which in times of recession can pull down businesses which would otherwise be viable. It is a fixed cost, whereas a proportion of corporation tax—or, if it is a non-incorporated business, a local income tax—is variable with income, so if income goes down it is not a fixed cost which pulls down the whole viability of the business. I believe that those questions deserve attention and that attention should be in the context of the structures, boundaries and functions of local government.

I mentioned the dependence in Wales on grants from the central Exchequer. I shall look next at the council tax as a proportion of the total income of local authorities in 1993-94. We must bear in mind the fact that the council tax is the only independent income that we have of any significance. There may be sundry and miscellaneous incomes, but those are usually very small.

In Mid Glamorgan, the council tax represents only 9.5 per cent. of the total income of the authority. In other words, 90.5 per cent. comes from sources outside that authority, and the freedom of that authority has been severely eroded. The figure in Powys is 12 per cent, in Gwynedd 14 per cent., in Dyfed 14.4 per cent. and in Clwyd 15.2 per cent. The average for all Welsh counties is 12.5 per cent.

With districts, the position is even more grotesque. In the Rhondda, the value of the council tax as a proportion of total income is 5.3 per cent., which means that some 94.7 per cent. comes from other sources. We cannot have genuine local freedom in local government when the variable proportion of the income is greatly limited.

As for the overall position in Wales, the total 1993-94 figures of all incomes for district and counties in Wales combined is £2,452 million, of which the council tax provides £297 million. That emphasises the point.

If 3p of the 17.5p in the pound of VAT came as a right to local government, it would generate about £300 million in Wales. If 10 per cent. of corporation tax came through to local government, it would generate £100 million. A local income tax of something like 4p in the pound—that would be the variable element, because the other two are parts of central Government taxation, although we feel that they should accrue to local government—would generate £400 million. That would give something like £800 million as of right, compared with the figure of just under £300 million which we are talking about now.

That £800 million would be unfettered income and would not be subject to the stringent controls which inevitably must come from a Government who have the opportunity to put conditions on the grants that they pass out. Such considerations should be taken on board at this stage. I believe that it is irresponsible for us to be setting up structures and functions of local government without looking at the finances.

If local government is to provide genuine local democracy, it must have the responsibility and the freedom to undertake policies in line with the needs of any area. Clearly, there are poor areas in Wales and there must be an equalisation function coming through from the central Exchequer, via the Welsh Office. I accept that any variable independent sources of that kind would probably never be more than 30 to 40 per cent. because of the importance of maintaining standards in areas of deprivation.

In allocating grants to areas, there needs also to be a close scrutiny of what criteria are used and what considerations come into play for the allocation to meet the local circumstances. For example, there clearly has to be consideration of deprivation, sparsity and demographic factors in any area and these possibly need to be fine tuned. We are always playing with them, and they are complex in the model that we have at present, but something needs to be done to make sure that money is going by way of equalisation to the areas that really need it, and that areas generally have much greater freedom with regard to their finance.

In moving the new clause and in calling for a report, we are in no way undermining the Bill. The suggested time scale to assemble thinking on the restructuring of local government finance is not unreasonable. If we do not provide for such a rethink in the Bill, the Government will have no other chance to reconsider in depth local government finance in Wales. Given the nature of the Bill, and at this stage in its proceedings, I realise that we cannot do any more than I have suggested, but my suggestion is well worth consideration. The relevance of such a report goes beyond Wales, but it should certainly be considered in the context of Wales.

Given the spirit in which I have introduced the new clause, I hope that the Government will be prepared to take on board my suggestions and will find some positive way to respond.

Mr. Murphy: The hon. Member for Caernarfon (Mr. Wigley) has rightly raised the issue of local government finance, which was dealt with rather perfunctorily on Second Reading, in Committee, and now on Report.

The new clause presents the Government with an opportunity to reconsider some of the anomalies of the local government finance system. They should consider returning the business rate to local authorities, and in the short term they should certainly examine the number of bands in the council tax. They should, unquestionably, reform the system of standard spending assessments to make them more intelligible. They should also abolish the capping of local government.

I hope that the Minister will be able to answer one specific question about local government finance. It arises from a written answer from the Parliamentary Under-Secretary of State for the Environment published in *Hansard* today. It refers to the remuneration of members of local authorities. We should consider capping in conjunction with the remuneration of councillors. I understand that a letter has been sent to all the local authority associations asking for their views on the Government's proposal to change the way in which members of local authorities are remunerated—and about time, too.

The Labour party entirely agrees with making a change for the better because many people are discouraged from being local authority members because of the appalling remuneration that they receive. If the proposed change means, however, that a local authority has to pay every single penny of the remuneration, that could mean that it is penalised under the capping regime.

Does the consultation process on remuneration apply to Wales, bearing in mind that we are in the middle of a reorganisation? What are the Minister's views about the possibility of capping as a result of the remuneration of councillors under the new proposed regime?

Mr. Gwilym Jones: Other than under a deeply philosophic guise, I cannot agree with the hon. Member for Caernarfon (Mr. Wigley) that this is the right time to introduce a report on the restructuring of local government finance, even if it is designed only to initiate the first stage of such a review. As the hon. Member knows, we are not proposing any changes to local government finance in the Bill. The arrangements will continue unchanged from the current councils to the new ones. I therefore do not think that it is appropriate to pursue this probing new clause and I suggest that the House should not accept it.

I should like to take the opportunity to say that I believe that the council tax has been well accepted by the council tax payers of Wales. It combines fairness with simplicity of administration and it overcomes those aspects of the rates and the community charge that were most criticised. It achieves accountability through a clear link between what councils spend and what local residents pay. In turn, under the uniform business rate, businesses benefit from certainty and stability. Increases in the poundage cannot exceed the increase in the retail prices index and businesses pay rates on a common basis. That has been a great step forward and underlines the desirability of making no change to local government finance.

The hon. Member for Torfaen (Mr. Murphy) asked about consultation and capping. I believe that the consultation exercise would give him the opportunity to pursue his questions. We look forward to studying the hon. Gentleman's detailed views on all those points, which will be taken fully into account when we consider the matter.

Mr. Murphy: With the permission of the House, Mr. Deputy Speaker. Local government in Wales needs an answer on what the Under-Secretary of State for the Environment said today. Does that consultation process now apply in Wales? Given that local government is in the process of reform, will our Welsh associations be asked specifically for their comments, and will whatever occurs in England in terms of remuneration of councillors apply also to Wales?

Mr. Jones: Yes, it certainly will. I look forward to hearing the views of the hon. Gentleman and his colleagues on those important matters.

It being Ten o'clock, the debate stood adjourned.

Ordered,

That the debate be resumed tomorrow—[*Mr. Arbuthnot.*]

Defective Medical Devices

Motion made, and Question proposed, That this House do now adjourn—[*Mr. Arbuthnot.*]

10 pm

Mrs. Bridget Prentice (Lewisham, East): This debate is about medical devices such as artificial heart valves and pacemakers, which are life saving and enhance and prolong the lives of thousands of our constituents. One would think, then, that the debate would be about how wonderful those devices are and how we should praise the manufacturers for producing such excellent instruments of health. But it is not, because, tragically, some of those devices go wrong and, as a result of their failure, people die.

The debate is about what we do when those devices fail and how we react to the inevitability that mechanical devices are not, and cannot be, perfect. How we stop them failing is for the technicians and scientists in the laboratories of the manufacturers, universities and research establishments. We should consider what we do when they fail and how we ensure that as little damage as possible is done.

On 24 April last year, my constituent, Mrs. Marian Sheedy, died. The death certificate recorded that she died of cardiac failure, renal failure and mitral valve disease. It did not record that she wore a pacemaker, nor that a year earlier, according to medical notes that I have seen, the pacing wire of that pacemaker appeared to malfunction. At the time of her death, no reference seemed to be made to the role of the pacemaker. It was as if it could have played no part in determining whether she would live or die.

Although nothing can bring Mrs. Sheedy back, her husband, John, is determined that everyone who wears a pacemaker or other device to help him or her live a more active life should be absolutely confident that the devices are of the highest quality, and have been thoroughly checked and monitored, and that the Department of Health has a duty to ensure that that happens.

When Mr. Sheedy came to my surgery to raise his concerns about what was happening, I knew nothing about pacemakers or about the Medical Devices Directorate, which is supposed to monitor the use of pacemakers, artificial heart valves and the like. I was no more a medical or technical expert than I was an expert in Mandarin Chinese. However, Mr. Sheedy had looked after his wife for many years and learned a great deal about pacemakers and their development. Before long, he had explained to me the basis on which they worked. I also knew that a number of manufacturers sold their products to the national health service. The pacemaker lead implanted in Mrs. Sheedy in 1987 was a Siemens type 93.

Mr. Sheedy had written to Siemens after his wife's death, asking about the lead. He discovered that Siemens had issued a warning to the Department of Health in February 1993, some two months before his wife died. It had also warned all the pacing clinicians of which it was aware. I say, "of which it was aware", because, as a result of an answer that I received from the Minister, I believe that not all pacing clinics are listed with the Medical Devices Directorate, the organisation responsible for issuing warnings.

As a result of Mr. Sheedy's investigations, I followed up with questions in the House, which have led me to believe that there is a yawning gap in the communications

[Mrs. Bridget Prentice]

system between the Department, hospitals and, most importantly, patients. I want that gap to be closed. I want to be assured that when things go wrong, patients are seen as quickly as possible and doctors know what they are looking for and how to fix it.

There are a number of players in the debate. There are the patients and their families, who have been told little or nothing about the devices implanted in them. There are the manufacturers, whose aim must be profit and whose trials and warnings with regard to their products seem to be under little or no scrutiny. There are the national pacemaker database and the national pacemaker registry, which are supposed to be recording the patients, devices, deaths and other important data, but are of little or no use to us because their records are so inaccurate. There is the Department of Health, which, through the Medical Devices Directorate, is supposed to assess the effects of faults in medical devices, investigate incidents and issue warnings, but which, in reality, has little or no power to do anything about it. I want to discuss each in turn, but I shall leave the patients and their families to the end because, to me, they are the most important players of all.

According to the national pacemaker database, there are 12 manufacturers of pacemakers currently selling in Britain, and 10 such manufacturers of artificial heart valves. The House might be surprised to know that there is no guarantee whatsoever that those are the only manufacturers of such devices operating here. Indeed, we have no way of knowing whether other manufacturers are also selling to hospitals and clinics throughout the country.

That is frightening. That devices which have to be, by their very nature, extremely sensitive, costly and for life-saving purposes, can be sold to hospitals without any scrutiny by any organisation, especially the Department of Health, is, I believe, a scandal. Why is that the case? The Minister tells me that it is because the Department will not make any rules about purchasing of medical implants, but simply says that it will

"strongly recommend purchasers to buy devices only from companies registered under the Department's Registration Scheme."

Those of us who are worried about the national health service being finance-led can only speculate that purchasers might go for the cheapest option, rather than check that a manufacturer is registered with the Department, although being registered in itself is not a guarantee that the Department has checked the approved device. Surely it is not beyond the Department of Health's remit to say that such devices must be bought only from the manufacturers on the list. Of course, that would also mean that the onus would be on the Department to ensure that a manufacturer gets on the list only if he has a proven record of quality, expertise and response. I hope that when the Minister responds he can assure the House that the manufacturers about whom we know are all registered under his scheme.

In Mrs. Sheedy's case, Siemens issued a warning in January 1993, which reached the directorate in early February. It, in turn, informed pacing clinics later that month. I make no great issue of the delay in informing clinics, but I should have thought that when a company issues a warning about its own products there can be no reasonable excuse for hanging on, thinking about it and eventually deciding to do something. I hope that the Minister will ensure that in future there is no delay between the receipt of a warning and passing it on.

As it happened, Siemens also warned the purchasers of the devices themselves. One would think that that would have covered everyone, but it does not, because a patient may be fitted with a device in one hospital but may return to a different hospital for follow-up work. At the moment, there is simply no way for Siemens or any other manufacturer to know where patients are being seen. That problem must be tackled, especially as the responsibility is now on manufacturers to inform the Department of any deaths or injuries resulting from faults in their products.

Let me illustrate that with two examples. Mrs. Sheedy was fitted with her pacemaker at King's hospital. It was then suggested that she have her pacing follow-up at Lewisham hospital, our local hospital. When I asked the Minister for names of pacing and pacing follow-up centres, the reply did not include Lewisham hospital. Last week, I noticed that Victoria infirmary in Glasgow was not on the list, so I phoned it up. I asked whether it fitted pacemakers or did follow-up work. The coronary heart unit staff there informed me that they did do follow-up pacing work. They were not on the list. Did they know of Siemens' warning? I doubt it.

The Minister will say that those hospitals are not on the list because informing the database is a voluntary exercise, but that is exactly my argument. That is the gap which I mentioned when I began this debate. Such information must be available to the database by compulsion if it is to be of any use at all. No one in the House or outside can say with absolute confidence that patients have not died as a result of follow-up clinics being unaware of warnings and thus not having acted on them.

In another reply, the Minister said that it was the responsibility of the manufacturers to advise users and purchasers when faults became apparent. Siemens certainly informed the purchasers, but it was impossible for the company to inform users. One of the main thrusts of my argument is that the users, the patients, have the right to know. I believe that some manufacturers might be disinclined to tell them; even Siemens is unhappy that I should be raising the issue because it has said that a media scare campaign would cause stress and concern for others. But the matter is too important to the 80,000 people in Britain who are fitted with pacemakers, and to their families and friends, for them not be kept fully informed of developments.

I want to refer briefly to another device—the artificial heart valve—and in particular to the Bjork-Shiley valve and the case of Mrs. Pauline Judge from West Bromwich. She would be the same age as me, 41, if she were alive. She died in September last year. In 1982, she was fitted with a valve and recovered quite well from the operation, resuming an active life even to the point of going swimming and taking aquarobic classes. She had even begun a business administration class through employment training.

In April 1993, however, Mrs. Judge's health deteriorated—she became dizzy, and so on. On Wednesday 1 September, she was in terrible pain and was vomiting. Her husband Eddie listened for the valve, which gives off a particular sound, and realised it was not working. I shall not go into the details of the tragic minutes that followed, except to say that Mrs. Judge was in the most awful pain and distress, while her husband did all he could to care for her.

What followed was one of the most tragic episodes I have ever had the misfortune to read. Mr. Judge pleaded with nurses, ambulance staff and doctors, explaining what was wrong with his wife, but to no avail. He knew what was wrong, but no one at the hospital appeared to understand the need to get his wife to a hospital with the facilities to care for her. She died at 1.15 am. Mr. Judge and his family believe that his wife's death was avoidable.

Between 1980 and 1983, the Bjork-Shiley valve was recalled three times in the United States because of fractures. In 1985, large valves were withdrawn, and in 1986 finally removed from the market. When the Food and Drug Administration in the United States became aware of the fractures, it first suspended and then revoked export approval for the 70 deg. valve. There is, however, every reason to believe that Bjork-Shiley aggressively marketed the valve abroad, in places such as Britain, during the suspension period. The FDA withdrew export approval in May 1983, yet the Minister tells me that the first departmental record indicating the suspension and subsequent withdrawal of the export permission is dated 15 January 1985, two years after the first suspension.

The phraseology of the Minister's reply leads me to suspect a lack of effort by the Department to find out exactly what was going on with the device in question. That is why I think it is time the Department's relationship with the FDA was put on a more formal footing. There must be more direct and detailed discussions about medical devices and their impact. Then, people such as Pauline Judge might have the opportunity to be seen by a specialist and have a fatal valve replaced.

The last thing I want to say on behalf of the Judge family is that they are still awaiting the coroner's verdict on Pauline's death. I understand the delay is due to waiting for reports of evidence. I feel that the Minister should use his offices, if appropriate, to ensure that the inquest goes ahead as speedily as possible for the sake of the Judge family.

The national pacemaker database and registry are purely voluntary institutions. It is entirely up to hospitals and pacing follow-up clinics to let them know who has a pacemaker and how it is functioning. I believe that the figures that the Department has given me are woeful underestimates of the number of pacemakers in use. How, then, can the Department feel sure that it knows what is going on, or that it can seriously monitor the effectiveness of the devices?

I draw a comparison here with the system set up to approve and monitor new drugs. A study by Social Audit in1992 suggested that the level of serious injury for newly prescribed drugs was seriously underestimated. Among the reasons for that were the excessive secrecy of manufacturers and the voluntary nature of reporting of side-effects by doctors. The comparison is apt. It is absolutely essential that the use and effectiveness of those devices is carefully and properly monitored and that when anything goes wrong, as it inevitably will, there is no delay between warning and caring for the patient concerned.

It has been suggested to me that the debate and the raising of these issues will scare patients and their families unnecessarily. I think that that is a cop-out put forward by those who do not want patients to know what is going on, or who are not prepared to take responsibility for what is happening. In the course of my learning about medical devices, I have been contacted by a number of families of patients from around the country. Every one of them says, "We have the right to know."

I do not for one moment think that this will scare patients. We are talking about people who have had serious heart conditions which have been controlled by such devices. They are all too well aware of their conditions, and their families monitor and care for them, sometimes for many years. They are not people who do not know and understand what is wrong with them. They are entitled to know how the device that is implanted in them is functioning. If it stops functioning, they are entitled to be assured that it will be dealt with as speedily as possible, so that they may go on enjoying their lives. That is not a lot to ask for.

Let me touch briefly on the views of Mrs. Delonnette of Hastings, whose husband's had a Bjork-Shiley implant. She says:

> "I myself feel that if I had known about it, I may have been able to have something done about it sooner, and maybe he would have been saved from such a tragic death."

Then there is Mrs. McGregor of Bradford, whose husband had a Siemens lead, which rusted inside him, and who now can no longer speak or care for himself and needs to be nursed by Mrs. McGregor 24 hours a day. She says:

> "On behalf of those involved in this issue may I offer my husband's and my support in bringing this matter to the full glare of the media."

Then there is Mr. Edghill from Maidstone, who, by happy chance, discovered from my constituent, Mr. Sheedy, that he had problems on his electrocardiogram and that he should have his pacemaker checked. As a result of that check, it was replaced two weeks later. He said:

> "I consider that this situation should never have occurred, and it is plain to me that the explanations given to date need to be brought to the notice of the public."

Or there is Mrs. Earle, another of my constituents, who had a pacemaker fitted six years ago, and who recently found that she was getting breathless. Her GP arranged for her to go into hospital and have it replaced, where she was asked by the cardiologist why she had not been in before. She had to inform him that she had never had her pacemaker monitored in the six years since it was implanted. Surely that is an indication of the terrible lapse in the proper recall of patients in such situations.

Only today, I received a letter from Mr. Bates, also from Hastings, whose pacemaker was fitted in October 1992. It was also a Siemens. It punctured his lung, and he was hospitalised again. Until August last year, he continued to have problems with it. It was not until October 1993 that the matter was finally sorted out. He said:

> "At the time of my pacemaker implant, I was not warned . . . of any risk involved with either the implantation process itself . . . or the device itself."
>
> I am aged 44, quite a young age to have a pacemaker inserted, and may need to rely on it for another 40 years or more. If some of the problems mentioned on the programme begin to happen, will I necessarily know about them?"
>
> What technical information is available to patients like myself about the pacemaker and leads which I have inside me?"
>
> I fully support your call for adequate information, research and monitoring of pacemaker implants".

The database is inaccurate. It needs to be made accurate. The registry is not up to date; it needs to be. The Department of Health, through the Medical Devices Directorate, is supposed to monitor the effects of devices.

[Mrs. Bridget Prentice]

It cannot do so properly in the present circumstances. It simply does not know what is going on and, even if it did, it has no power to do anything about it.

I put it to the Minister that here is an opportunity to fulfil the principles of the patients charter. It is an opportunity to ensure that no one suffers the pain and loss suffered by my constituents and the others whom I have mentioned, without full knowledge of the effect that artificial devices have, their safety record, the manufacturers' commitment to the highest quality, and with the most detailed monitoring of the effectiveness of such devices.

Tonight, the Minister can begin to give hope and reassurance to the 80,000 people with pacemakers in this country, and to the 5,000-plus with artificial heart valves and other devices. He can say that the Medical Devices Directorate will scrutinise every manufacturer of devices for safety, quality and history follow-up and response. He can say that it will work in a formal and productive programme with the FDA, exchanging information as soon as it is known and acting on it. He can say that the directorate will issue warnings to hospitals, follow-up clinics and GPs when that is necessary, and will check that every hospital has acted on those warnings. He can say that he will ensure that the database is up to date, because pacing centres will be obliged to forward information identifying each patient with his or her unique pacemaker number. He can warn patients, as well as hospitals and GPs, so that they know what is going on.

By so doing, the Minister will ensure that he enhances the quality and length of thousands of people's lives. I plead with him to do so.

10.20 pm

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville): I can accede to nearly all the requests and recommendations of the hon. Member for Lewisham, East (Mrs. Prentice). We do precisely what she suggested. Although she has criticised the way in which we do it, we are on the same side in trying to ensure that devices are monitored and any problems are brought to the attention of the right people.

The hon. Lady has engaged in a good deal of correspondence with the Department of Health by means of parliamentary questions. I applaud the methodical way in which she has gone into the matter, on behalf of her constituent and the constituents of other hon. Members. I certainly would not characterise what she has done as alarmist; it is very proper to discuss how we can perfect a system of trying to monitor the complicated network of devices that the health service currently uses.

Let me say how sorry I am about what has happened to the Sheedy and Judge families. These are great tragedies. I accept what the hon. Lady said about holding an inquest; I shall look into the matter, and get back to her.

On the whole, people pay little attention to the safety of medical devices until something goes wrong. The hon. Lady was honest enough to say that she did not know much about the Medical Devices Directorate, which is probably one of the foremost such organisations in the world and which we are lucky enough to have in our health service. For example, a pacemaker registry has existed since 1972, funded by the Department since 1977; a heart valve registry has existed since 1985, a breast implant registry since 1993 and a hydrocephalus shunt registry since earlier this year.

The expectation of both health service staff and patients is that medical devices are safe, and the Department of Health puts a great deal of effort into ensuring that they are. Every year, new medical devices and equipment become available that offer improvements in the treatment and care of patients; but new technology brings with it potential hazards that need to be carefully assessed.

The Medical Devices Directorate, within the Department, comprises a wide range of professional and technical experts with extensive experience in medical devices. It is responsible for ensuring that medical devices used by the health service are safe and effective. It discharges that responsibility in four main ways—by being closely involved in the drafting of legislation and safety standards that will form a framework for the control of devices into the 21st century, particularly in a European context; by operating a registration scheme; by managing a programme to evaluate the technical and clinical performance of medical devices; and by assessing adverse incidents associated with those devices, reported by manufacturers and health care users.

The last of those is the most important in the context of the issue raised by the hon. Lady. The investigation of adverse incidents is critical in ensuring the safety of medical devices. We have issued a number of guidance notes to health service chief executives to encourage the reporting of such incidents, and we shall continue to press for it. The reporting of serious incidents by manufacturers is becoming mandatory under EC directives, as the hon. Lady probably knows.

The MDD handles well over 3,000 reports each year, using its scientific, technical and clinical experts—who take advice, where necessary, from relevant specialists in academia, the health service and industry. Where a risk to the safety of patients or users has been identified, advice is issued, in the form of a safety warning, to health service staff. This advice will take into account the nature and use of the device, the likelihood and severity of patient injury and the consequences of any action taken. This may result in the modification of a device, or sometimes its withdrawal from use.

Departmental safety warnings may take the form of hazards notices, safety action bulletins, pacemaker technical notes or direct correspondence from the Chief Medical Officer or other professionals in the Department. Since 1991, 85 hazard notices, 183 safety action bulletins and 18 pacemaker technical notes have been issued.

I mention that because I should like to refute one of the hon. Lady's more exaggerated statements—that the Department does not know what is going on. We closely follow what is happening with medical devices. She has criticised our means of doing so, but we do much monitoring work and will continue to do so.

Responsibility for ensuring that action is taken in response to safety advice issued by the MDD rests with health services— the specialists. It is the responsibility of chief executives to have a policy in place for the dissemination of information contained in advisory notices to the relevant health care professionals. The nature of the action taken in relation to patient management in the light of such information must, however, remain a matter for the judgment of doctors to whom that advice is issued. In all cases, clinical judgment must be exercised in weighing the risk of potential failure of a device against a patient's condition and the additional risks that may result should further surgical intervention be necessary. Such judgment must be made with a full knowledge of the individual circumstances of each patient. It is the clinician who takes responsibility for ensuring that patients receive suitable advice without generating needless anxiety.

Since the action to be taken as a result of safety warnings is a matter for the clinical judgment of a patient's doctor, advice from the Department of Health is issued only to clinicians. The advice is often rather complex and technical— I do not think that it is patronising to patients to say that— and the action taken invariably depends on the particular circumstances of the patient. It is therefore inappropriate for such advice to be given outside the context of a clinician-patient consultation.

I know that the hon. Lady's particular interest is in the reliability of certain pacemaker leads manufactured by Siemens. In the particular case of the Siemens leads, a thorough consideration of clinical and technical issues was undertaken by the Department in conjunction with clinical specialists and manufacturers. Once sufficient information and clarification had been provided, the directorate was able to draft a pacemaker technical note for issue to all pacemaker implanting centres and follow-up clinics in the United Kingdom.

I heard what the hon. Lady said about the adequacy of the registry and about whether the identity of all centres was known. We must keep that matter constantly under review and ensure that we are aware of all centres. The technical note brought to the attention of relevant clinicians important information previously issued by Siemens in an advisory note, which was appended to the pacemaker technical note.

The hon. Lady mentioned delay. I am informed that 14 days, including weekends, elapsed from the moment the documentary evidence was received by the Medical Devices Directorate, following an informal advice some days earlier, to the moment that our pacemaker technical note was issued. I do not think that is undue delay. We are talking about some technical instructions that have to be interpreted by people who make decisions about patients. They are not something that can be rushed out, for fear that decisions will be taken based on the wrong information. I do not think that there was undue delay in the case that the hon. Lady mentioned from January or February 1993.

The document advised clinicians that patients implanted with particular leads should be evaluated as soon as possible. This evaluation would include a specific test to check the performance of the lead. Since the risk of lead failure was calculated by the manufacturer to be less than 1 per cent. after one year, patient evaluation would not necessarily result in lead replacement in all cases. As I have already said, it is for the individual patient's doctor to weigh the risk of lead failure against the risk resulting from further surgery. A clinical judgment must always be made in the best interests of the patient.

I am sorry that I am unable to say more, but I end by saying that the replacement of a pacemaker lead—a possible course of action—is not a simple procedure. The electrode of the lead may be embedded in the heart tissue and, when a lead is replaced, the original lead is usually left in place. There is thus a limit to the extent to which the new lead can be fitted without causing damage to the heart. It is a complicated matter that we must—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, Mr. Deputy Speaker *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Thursday 16 June 1994

The House met at half-past Two o'clock

PRAYERS

[Madam Speaker *in the Chair*]

PRIVATE BUSINESS

Commons Registration (East Sussex) Bill [*Lords*]
Considered; to be read the Third time.

Federation of Street Traders Unions (London Local Authorities Act 1990) (Amendment) Bill (*By Order.*)
Order for Second Reading read.
To be read a Second time on Thursday 23 June.

Oral Answers to Questions

NORTHERN IRELAND

Anglo-Irish Conference

1. **Mr. William Ross:** To ask the Secretary of State for Northern Ireland what considerations led to the decision to publish the agendas of meetings of the Anglo-Irish intergovernmental conference but not the result of exchanges.

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): The intergovernmental conference follows normal practice in these matters. The substance of discussions between Governments is confidential, no agenda being published, but after meetings a joint statement is issued.

Mr. Ross: Surely the Secretary of State would agree that the communiqué which is issued amounts to an agenda to be discussed at the meetings? The people of Northern Ireland are concerned whenever they see, over a period, the vast range of subjects that are discussed, which, in the eyes of many folk, amount to a joint authority. A full minute would allay the fears and concerns of the people of Northern Ireland, so why should it not be published?

Sir Patrick Mayhew: I think that the existing practice is the right one. There is a joint statement as to the character of matters that have been discussed and I think that that is the right way to go about it. I believe that the practice is sustained by experience as being wise.

Lady Olga Maitland: Will my right hon. and learned Friend join me in welcoming the warm tributes paid by the Dublin Government in memory of the men who died in the tragic helicopter disaster in Scotland?

Sir Patrick Mayhew: I am grateful to my hon. Friend. Certainly, I accept her invitation to express my warm appreciation of the message that was received from Mr. Spring and, I think, from leaders of all the political parties represented in the House. It was a tragic accident, but its operational effects are being remedied by all four services involved and the work of those fine people is continuing, as they would wish.

Mr. Mallon: The Secretary of State will be aware that one of the functions of the intergovernmental conference is to protect the human rights and civil rights of everyone on the island of Ireland. Is he aware of the thuggish behaviour of many firms in the north of Ireland, including the recently taken over Ulster Farmers Bacon Factory and the recently privatised Northern Ireland Electricity Retail Co. which are offering their employees employment only on the condition that they accept a drop in salary of about £5,000, with no severance pay and redundancy provisions? Can he ensure that, in future meetings of the intergovernmental conference, that element of human rights and civil rights is protected by both Governments?

Sir Patrick Mayhew: That is an ingenious vehicle by which to bring that concern to Question Time. I do not think that it is a matter of human rights; it is a matter—although I am not aware of the individual circumstances—of businesses striving to keep people in employment, but having to have regard to market circumstances in deciding whether they can pay people to remain in employment.

Broadcasting

2. **Mr. Fabricant:** To ask the Secretary of State for Northern Ireland what are his plans to meet representatives of BBC Northern Ireland, Ulster Television, Downtown Radio and other commercial radio stations to discuss broadcasting in Northern Ireland.

The Minister of State, Northern Ireland Office (Sir John Wheeler): I have no plans at present for such a meeting.

Mr. Fabricant: I am rather disappointed about that. Is my right hon. Friend aware how difficult it is for journalists to maintain impartiality, often in difficult and tragic situations? Does he agree that the current position in Northern Ireland is both difficult and tragic? May I ask him to see representatives of the BBC and others, such as Downtown Radio and Ulster Television, and to congratulate them on the impartial and unbiased coverage that they have given in Northern Ireland?

Sir John Wheeler: I know that my hon. Friend takes an informed interest in the work of the BBC. Of course, all journalistic reporting from whatever source—when it is fair, accurate and objective—contributes greatly to the community and to the security situation. My right hon. and learned Friend the Secretary of State and my hon. Friends meet members of the journalistic community in Northern Ireland almost on a daily basis, when often we find a microphone underneath our faces from people seeking comment. We have a very good and warm relationship with them.

Mr. William O'Brien: Will the Minister reconsider his answer to the hon. Member for Mid-Staffordshire (Mr. Fabricant)? There is a need for consultation, especially as it is thought that cable television will soon be introduced in Northern Ireland. It is important for the Minister to impress on any organisation that wishes to introduce cable television that it should consult local authorities and local people fully. Will he think about approaching the BBC about being more generous and being equal with concessionary television licences throughout Northern Ireland?

Sir John Wheeler: Some of the hon. Gentleman's points properly fall within the jurisdiction of my right hon. Friend the Secretary of State for National Heritage. In so far as my colleagues in Northern Ireland or I have any responsibility, we are always available to meet representatives of the media industry to discuss any of their concerns that fall within our jurisdiction.

Anglo-Irish Talks

3. **Mr. McAvoy:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress towards securing a resumption of the inter-party talks on the future of Northern Ireland and on discussions he has had with the Government of the Republic of Ireland concerning a constitutional settlement for Northern Ireland.

12. **Mrs. Bridget Prentice:** To ask the Secretary of State for Northern Ireland if he will make a statement about the current political situation in Northern Ireland; and what recent discussions he has had with the Government of the Republic of Ireland and the political parties in Northern Ireland concerning a constitutional settlement.

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): Bilateral discussions are continuing with three of the main Northern Ireland parties. The Government are also consulting closely with the Irish Government on the preparation of a framework document, which would facilitate a comprehensive political settlement. Our aim remains to return to multilateral talks at the earliest appropriate time.

Mr. McAvoy: Does the Minister accept that there can be no purely internal settlement of the Northern Ireland question and, therefore, that there is a need for a formal, institutionalised Irish convention?

Mr. Ancram: The Government's position has been clear for some time. Any settlement must address the three relationships—relationships within Northern Ireland, those between the north and the south of Ireland and those between the Government of the Republic of Ireland and the Government here. The formula of 26 March 1991, under which talks are currently conducted, made that clear and that remains the Government's clear position.

Mrs. Prentice: Can the Minister give us any idea when the joint framework document will be presented to the Northern Ireland parties? When does he think that the document will be published?

Mr. Ancram: As I am sure the hon. Lady is aware, work is going on between the two Governments on the framework document, which is intended to set out a shared understanding of the elements of a settlement within strands 2 and 3 that have the best prospects of achieving widespread acceptance and support. It is also likely to include constitutional issues. At this stage, it is not possible for me to say when that process will be completed. Some time after it is completed, we shall wish to discuss the understandings with the constitutional parties in Northern Ireland.

Mr. Peter Robinson: I should like to press the Minister a little further on the same subject. I wonder whether he has seen *The Irish Times* this morning, which contains a quotation from Mr. Dermot Ahern, co-chairman of the British-Irish Inter-parliamentary Body. He says that the Taoiseach hopes to finalise the document before he meets the Prime Minister in mid-July. Presuming that Mr. Reynolds finalises the document and it is rubber-stamped by the Government, is it to be issued to the public, so that the people of Northern Ireland may see it, or is it to be given to the constitutional parties or all the political parties in Northern Ireland? Who exactly will receive it?

Mr. Ancram: First, I should like totally to knock on the head the idea that the British Government are going to rubber-stamp anything. The process that is taking place between the Irish and British Governments is to see where we can find a shared understanding on the elements of a settlement that is likely to receive widespread acceptance by the people of Northern Ireland. That process is carried out intensively at this moment and it is not possible to set a time scale for it, but in due course we hope that it will form part of the process of dialogue that will, in the end, lead to a settlement in Northern Ireland.

Mr. Bill Walker: When my hon. Friend discusses constitutional change with the parties in Northern Ireland, will he bear in mind the interests of the Unionist party —particularly in Scotland—on constitutional change? As a former Scottish Office Minister, my hon. Friend will realise what I mean when I say that the interesting election results in Scotland have recently given us cause to have concern about the Union.

Mr. Ancram: I always watch with nostalgia political developments north of the border, but my responsibilities at this time are for political developments within Northern Ireland. There are great dangers in trying to draw analogies between the situation in Northern Ireland and that which exists in Scotland.

Rev. Martin Smyth: Having confirmed that talks with some political parties have been on-going since last September, can the Minister confirm that it is still the Government's position that the constitutional settlement is within the constitution of the United Kingdom, despite the comments of Mr. Reynolds, who may now be having some midsummer madness after his recent Christmas mislongings?

Mr. Ancram: I can make clear to the hon. Gentleman what has been clear all along: there can be no change to the constitutional status of Northern Ireland without the consent of the majority of the people of Northern Ireland. I can go further and say that there can be no settlement under the present dialogue which does not achieve the widespread acceptance of the people of Northern Ireland. There is no question of coercion or imposition, and that is recognised as much by the Government in Dublin as it is by us.

Sir Thomas Arnold: Will my hon. Friend confirm that the Government of the Republic do not exercise any kind of veto over the progress of the inter-party talks?

Mr. Ancram: We have made it clear that no one exercises a veto and the important talks will proceed on the basis that no single participant can prevent the talks progressing by simply refusing to come to the table. It is absolutely clear that if we are to achieve agreement, it must be on the basis of widespread acceptance throughout the community in Northern Ireland.

Downing Street Declaration

4. **Mr. Alton:** To ask the Secretary of State for Northern Ireland what response he has received from Sinn Fein-IRA following their request for clarification of the Downing Street declaration.

Sir Patrick Mayhew: None. The people of Northern Ireland demand that they desist, permanently, from violence within our democracy; yet, to the revulsion of the people, they continue to murder people and to condone and justify such murder.

Mr. Alton: Does the Secretary of State agree that the biggest single factor now impeding the peace process in Northern Ireland is the massive amount of money which is made by racketeers and godfathers working within paramilitary organisations? If Gerry Adams and the political leaders of Sinn Fein wanted to deliver a peace deal, there would remain a major task in rooting out those who have a clear and vested interest in continuing the violence in Northern Ireland. Does the right hon. and learned Gentleman agree that we must renew and redouble our energies and efforts in stopping those mafia-style activities?

Sir Patrick Mayhew: I agree that there is a great deal of racketeering to be found on both sides of the paramilitary spectrum. I do not agree that it is the biggest obstacle to the establishment of peace. The biggest obstacle is the refusal of those who resort to violence for political purposes to give it up in this democracy. We take the greatest pains to counter paramilitary racketeering, but I do not agree that our efforts need to be redoubled. We are at the moment doing all that we consider practicable, and we keep that very much under review.

Mr. Bellingham: Can my right hon. and learned Friend confirm that, after the clarification which has taken place, there will be no further dealings at all with Sinn Fein and the IRA? Surely they now have a chance and an opportunity, and surely now the process must go on without them.

Sir Patrick Mayhew: The process will certainly go on, with or without them. It will only go on with them if they make it plain that they have renounced violence permanently and that they are committed to democratic politics. There is no question of any dealings with Sinn Fein until that has been delivered—none at all. There has been widespread approval all around the world for the comments that the British Government made on the questions which were submitted by Sinn Fein a mere four and a half months from the signing of the declaration. It is now for it to answer a question—when will it give up violence?

Mr. Hume: I express my appreciation to the Secretary of State for the written clarification which he gave in keeping with his wish to leave no stone unturned and to bring a total end to violence in our streets. May I repeat my view that the recent democratic expression of the people was a strong expression of support for the peace process, which is about a total cessation of violence followed by an agreement among our divided people which threatens no section of our people? May I repeat my request and hope that the response of Sinn Fein and the IRA will respect the self-determination of the people of Ireland, north and south, on the methods used?

Sir Patrick Mayhew: I am grateful for what the hon. Gentleman said at both the beginning and the end of his question. The interpretation of election results in Northern Ireland is a specialist activity. It seems reasonable to remark that, in the recent election—to the extent that electors might have had the joint declaration in mind when electing people to the European Parliament—a margin of 20 per cent. more people voted for candidates supportive of, or acquiescent in, the joint declaration than for candidates opposed to it.

Mr. McNamara: Is the Secretary of State aware that the Opposition welcomed the replies that he gave to Sinn Fein's questions? We particularly welcomed his recognition of its electoral mandate and the fact that the Government of Ireland Act 1920 should be on the table, that no party should have a veto over discussions and that the only condition for going to the conference table is a demonstrable total denunciation of violence. In view of the strong mandate given in the European election to those parties seeking peace in Northern Ireland, particularly that given to my hon. Friend the Member for Foyle (Mr. Hume), does the Secretary of State accept that there is every reason for Sinn Fein to heed the voice of the people of Northern Ireland and the whole island of Ireland, renounce violence and take its place at the negotiating table?

Sir Patrick Mayhew: I very much agree that Sinn Fein should heed the voice of the people. In the south it got 3 per cent. of the vote, while in the north it got under 10 per cent. There is no excuse in this democracy for proceeding to use violence for any political purpose whatever. That message is well understood by the people of Northern Ireland, who demand that violence must end. For Sinn Fein to continue to use violence, claiming to act in some way in the name of the people of Ireland, is not only fanciful but fraudulent.

Security

5. **Mr. Molyneaux:** To ask the Secretary of State for Northern Ireland if he will make a statement on security in Northern Ireland.

8. **Mr. Spring:** To ask the Secretary of State for Northern Ireland what is his assessment of the current security situation in the Province.

9. **Mr. Soley:** To ask the Secretary of State for Northern Ireland whether he will make a statement on the security situation.

11. **Mr. John D. Taylor:** To ask the Secretary of State for Northern Ireland if he will make a statement on the level of terrorist activity since 15 December 1993.

Sir John Wheeler: Thirty-four people have been murdered this year as a result of terrorism in Northern Ireland, including five members of the security forces. In the period between 15 December and the end of last year, one soldier was murdered. Many attacks have been foiled by the courage and expertise of the security forces. There will be no relaxation in the determination of the authorities to bring those responsible for terrorist crime to justice.

Mr. Molyneaux: Now that national and international opinion is at long last aligned with democracy and not with Irish terrorism, will the Minister reflect on the views of his right hon. Friend the Foreign Secretary who, when Home Secretary, said:

> "There is no point in negotiating with the IRA. They just have to be extirpated"?

Sir John Wheeler: There is no negotiation with the Provisional IRA. The joint declaration sets out a mechanism for those who wish to follow the path of peace. I hope that they will follow it.

Mr. Spring: The western part of Suffolk may be a long way from Northern Ireland, but may I relay to my right hon. Friend the expressions of shock and sympathy addressed to me by many of my constituents following the tragic helicopter crash? Will my right hon. Friend assure the House that, despite that tragic setback, the fight against terrorism, from whatever quarter, will continue unabated?

Sir John Wheeler: I am grateful to my hon. Friend, who seeks to take an informed interest in the security problems of Northern Ireland. The tragedy of losing 29 experienced and valuable people who have contributed so much to saving life is a great disaster and the House will think particularly of their families at this time. I assure the House that, notwithstanding the extent of that disaster, every effort to continue the fight against terrorism will continue. Even now, the replacements are going into office to take up and continue the work of those whose lives have been so tragically lost.

Mr. Taylor: In Belfast last week, the general assembly of the Presbyterian Church was held. That is the largest Protestant Church in Northern Ireland. Views were expressed by many laymen and clergy about the security situation on the ground. As the Minister will have taken them into account, how does he now respond to them?

Sir John Wheeler: I am naturally concerned about all comment in Northern Ireland, but the House should know of the real and considerable successes that the security forces are having. So far this year, until 15 June, 220 people have been charged with serious terrorist offences, as against 172 in the same period last year, including 49 with murder or attempted murder, as against 38 in the same period last year. What matters is that people who commit those awful and evil crimes are caught, arrested and charged before the courts.

Mr. Soley: The right hon. Member for Lagan Valley (Mr. Molyneaux) referred to Irish terrorism in his question. Is not this an appropriate time to remind ourselves that, for the past two years, Unionist terrorism has been claiming more lives than republican terrorism, and not for the first time in Northern Ireland's sad history? Is not it therefore all the more important that we now say to both the Unionist and the republican community in the north, which is where the violence originates, that there is no excuse for terrorism? There never has been any excuse, but there is no excuse in view of the bold and, if I may say so, visionary decision of the two Governments to go for the Downing Street declaration. It has given both sides democratic safeguards and democratic opportunities, if they follow that agenda, and the British and Irish people expect no less from both communities.

Sir John Wheeler: I am grateful to the hon. Gentleman for what he has said and agree whole-heartedly with his view. Terrorism from whatever source is unacceptable. There is no excuse of any kind. So far this year, 136 so-called loyalists and 83 republicans have been charged for terrorist-related offences.

Sir James Kilfedder: Is the Minister aware that there is growing alarm at the increase in criminality and hooliganism in the North Down area? The people of North Down are entitled to the same security as any other part of Northern Ireland. With regard to hooliganism, there are gangs of youths who travel around and harass, and in some cases terrorise, vulnerable old-age pensioners. Surely it is time to increase the number of police in the North Down area, the number of police vehicles and the number of police stations?

Sir John Wheeler: I am grateful to my hon. Friend. I can assure him that I take a special interest in the progress of the fight against ordinary crime in Northern Ireland and especially in his constituency, which I had the pleasure of visiting a short while ago, when I was able to speak to the police about their level of clear-up of ordinary crime, which is especially high—often, 40 to 50 per cent.

Rev. William McCrea: Does the Minister understand that the people of Northern Ireland are deeply worried about the deteriorating security situation in the Province, bearing in mind the figures he gave to the House? Also, in a recent debate in the House, widespread anxiety was expressed by many hon. Members across the House that IRA Sinn Fein leader Martin McGuinness seemed to be above the law. In the light of the deteriorating security situation, is not it about time that Martin McGuinness was arrested forthwith and that the due process of law took place—or is he above the law because of negotiations with the Government?

Sir Patrick Mayhew: No one is above the law passed by the House of Commons. All those people who should be properly investigated for alleged crimes will be so investigated. There is no question of anyone being exempted from the criminal justice process as the hon. Gentleman implies.

Anglo-Irish Talks

6. **Mr. Enright:** To ask the Secretary of State for Northern Ireland what security matters were discussed when he last met Ministers of the Irish Republic; and if he will make a statement.

Sir Patrick Mayhew: Such discussions at our meetings take place in confidence, but security co-operation remains a matter of high importance for both Governments.

Mr. Enright: Has the abject failure of the hon. Member for Antrim, North (Rev. Ian Paisley) in the recent elections —in spite of his vitriolic attacks on the Anglo-Irish declaration he gained less than one third of the votes— strengthened democratically the British Government's position vis-a-vis the Irish Government?

Sir Patrick Mayhew: I do not think that the British Government's position can be viewed as one of antagonism towards the Irish Government, although a firm stance is being taken in the current important discussions. Our position is clear: it is based on the principle of democracy. The future of Northern Ireland must be determined only by democratic means. That also happens to be the position of the Irish Government, as is made clear in the joint declaration.

Mr. Forman: In discussing security matters with his counterpart in the Irish Republic, has my right hon. and learned Friend had any cause for optimism about the role that the United States Administration could play in assisting the search for peace and security in Northern Ireland?

Sir Patrick Mayhew: I should like to say that there is a close relationship between the security forces of the Crown and their counterparts in the United States. Indeed, I have nothing but gratitude for the across-the-board co-operation that we receive from the American authorities.

Mr. McNamara: When the right hon. and learned Gentleman next meets the Irish Government to discuss security arrangements under the confidence-building measures of the Anglo-Irish Agreement, will he discuss the proposals for the reform of the Police Authority in Northern Ireland, in particular the distinction between security and community policing and the accountability of the Chief Constable to the authority?

Sir Patrick Mayhew: I am glad to say that I had a most fruitful and successful meeting with the authority a couple of days ago, when very broad support was expressed for the consultative document. We both looked forward to co-operating in the translating of those broad-brush concepts into the appropriate legislative language. From time to time, the relationship of the public to the police and the police to the public is discussed in the intergovernmental conferences and I have no doubt that that will continue.

Criminal Justice

7. **Mr. Mullin:** To ask the Secretary of State for Northern Ireland what plans he has for extending to Northern Ireland the tape recording of interviews and the right of access to a solicitor for suspects; and if he will make a statement.

Sir John Wheeler: Interviews with suspects detained under the Police and Criminal Evidence (Northern Ireland) Order 1989 are tape recorded. The Government believe that electronic recording of interviews with detained suspects in Northern Ireland under the Prevention of Terrorism Act would not at present be in the overall interests of justice. The policy will be kept under review.

Access to legal advice is a statutory right for all suspects in police custody.

Mr. Mullin: In the light of all that we know, is it not extraordinary that courts in Northern Ireland are still sending people away for life imprisonment on the basis of confessions which are not recorded, which were extracted at Castlereagh, and to which the interviewees' solicitors have been routinely denied access? Is it not about time that some of the lessons that we have learnt over here were applied in Northern Ireland—and who better to apply them than a Secretary of State who, as Attorney-General, presided over many of the disasters in our own legal system a few years ago?

Sir John Wheeler: I cannot accept the hon. Gentleman's last comments and I am sure that the House does not either. Access to solicitors may be delayed for up to 48 hours on strict security grounds. The criteria governing a delay are laid out in section 45. A similar power to delay is also available to the police in England and Wales under the Police and Criminal Evidence Act 1984.

The court system in Northern Ireland is impeccable. The judiciary is independent and makes its decisions accordingly. As to the use of technology, that matter is kept always under review.

Mr. Trimble: Is it not inconsistent for the Government to allow criminal proceedings to be brought against terrorist suspects on the basis of tape recordings of conversations in the open air while, for the purpose of criminal proceedings, they refuse to allow tape recordings of telephone conversations by terrorist suspects?

Sir John Wheeler: The use of material collected by intercept means and governed by warrant has to be carefully considered and is a matter for the prosecution authorities.

Mr. Stott: The Minister will be aware that Sir Louis Blom-Cooper, the independent commissioner for the holding centres, has recognised the need for proper safeguards to be introduced into the system, and he said so in his recent report. The report from John Rowe QC also suggested that terrorist suspects should be recorded on audiotape. I am disappointed at the Minister's reply. If those measures were introduced in Northern Ireland, clearly in our judgment they would build confidence in the security forces and provide police officers with protection against false allegations of physical and verbal harassment. I am at a loss as to why the Government still refuse to bring into operation these particular measures, which were recommended by their own advisers.

Sir John Wheeler: I am grateful to the hon. Gentleman. He raises very important and serious issues with which I have a good deal of sympathy. I am particularly grateful to Sir Louis Blom-Cooper and others who carried out a review of the procedures and their recommendations and advice are treated seriously. Equally, however, my right hon. and learned Friend the Secretary of State and I have to take into account the advice that we receive from the Chief Constable of the Royal Ulster Constabulary, whose chief duty is to prevent the killing and terrorism in Northern Ireland. We must heed his opinion when he raises the importance of maintaining the present structure, but we will keep the matter under review and explore the possibilities to see what may be done.

Surface Links

10. **Mr. Foulkes:** To ask the Secretary of State for Northern Ireland what discussions he has had with the Commission of the European Union on surface links between Northern Ireland and south-west Scotland.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Tim Smith): Apart from the correspondence on the electricity interconnector, there have been no discussions.

Mr. Foulkes: The Minister will be pleased to hear that I do not intend to ask about the electricity interconnector but about the decision by the Commission to include Stranraer and Larne in the trans-European network, which I hope that he will join me in welcoming. Has he seen the report in the *Glasgow Herald* suggesting that the Secretary of State for Scotland is resisting a European Union plan for multi-million pound improvements to the rail link from Stranraer through my constituency to the channel tunnel? Will he meet the Secretary of State for Scotland and try to persuade him to stop treating citizens of Northern Ireland and south-west Scotland as second-class citizens in Europe?

Mr. Smith: I very much welcome the decision to which the hon. Gentleman refers to include the route in the trans-European network. Of course, the railway is important to traffic from Northern Ireland and I will certainly have a word with my right hon. Friend the Secretary of State for Scotland.

Mr. Gallie: Is my hon. Friend aware of the contract recently signed between Ayr hospital and health authorities in Antrim and Larne, which will bring mutual advantage to my constituents and to those of hon. Members representing Larne and Antrim? Does my hon. Friend approve of such links, and does he acknowledge that improved surface links between Stranraer and Larne will bring much further advantage?

Mr. Smith: I am grateful to hon. Friend for drawing my attention to the benefits of that arrangement.

Mr. Clifford Forsythe: If European funding becomes available, will the Minister bear in mind the new industries that he has welcomed to parts of Antrim which are close to Larne? We need not only facilities at the harbour, but facilities leading to the ports so that the traffic can travel that way. I join my colleagues in Scotland in supporting that development.

Mr. Smith: I welcome the inward investment projects to which the hon. Gentleman referred and I recognise the importance of access to Larne port. We hope to upgrade part of the road in 1997-98.

Integrated Schools

13. **Mr. Maginnis:** To ask the Secretary of State for Northern Ireland what matters he takes into consideration when deciding to establish an integrated school at post-primary level.

Mr. Ancram: We seek to satisfy ourselves about the potential viability of the proposed school; about its religious composition; and about whether suitable accommodation is being provided. We also examine carefully the overall circumstances of each proposal, including any representations received. Those procedures apply also to primary schools.

Mr. Maginnis: Notwithstanding that we would all, in ideal circumstances, like to see integrated education in Northern Ireland, is it not absolutely profligate of the Government to support integrated secondary schools in, for example, my constituency of Fermanagh for 1 per cent. of the secondary school population when there is already over-provision of between 10 and 15 per cent. in that sector? How does the Minister think that the 99 per cent. of people will feel when they see small schools facing the axe so that money can be given to the 1 per cent. who will be privileged with their own special school?

Mr. Ancram: On the hon. Gentleman's last point, I hope that he will read the paper that I put out yesterday, from which he will see that we are considering options to enhance the quality of education in small rural schools and not to axe them. As to integrated schools, and the one in the hon. Gentleman's constituency in particular, I fully respect his view. The representations that he made to me were given close consideration both by me and by my right hon. and learned Friend the Secretary of State. However, it is Government policy to encourage and facilitate integrated education where there is proven parental demand for it. It is also Government policy to give parents choice in education where that is possible. In the case of the hon. Gentleman's constituency, both criteria were met.

Ms Hoey: I very much welcome the move towards integrated education in Northern Ireland, but what are the criteria for considering an integrated school? Half the children on the island of Rathlin, for example, are educated in a home tuition unit and the other half in a Church school. Does that situation not present an ideal opportunity to allow the home tuition unit on Rathlin island to become an integrated school?

Mr. Ancram: The hon. Lady will have heard me set out the criteria for an integrated school. One is the viability of the proposed school. Obviously we carefully consider any representations made to us, where there is sufficient parental demand in that context.

Peace Process

14. **Mr. David Shaw:** To ask the Secretary of State for Northern Ireland when he expects to be able to announce the commencement of detailed negotiations and discussions on the future of Northern Ireland.

Mr. Ancram: I refer my hon. Friend to the answer that I gave earlier today to the hon. Members for Glasgow, Rutherglen (Mr. McAvoy) and for Lewisham, East (Mrs. Prentice).

Mr. Shaw: Does my hon. Friend agree that a substantial body of opinion in Northern Ireland, southern Ireland and the United Kingdom is for the recommencement of detailed discussions and negotiations? Will not the time arrive when, if Sinn Fein and the men of violence fail to say that they do not support a continuation of violence, those discussions and negotiations must go ahead?

Mr. Ancram: I agree with my hon. Friend, who properly reflects feeling in both parts of the island of Ireland. However, agreement will not be achieved by artificially forcing the pace, by shouted slogans or blazing headlines. It will be achieved only by a careful and considered advance by all participants towards a common and widely acceptable position which meets the aspirations of the majority of people in Northern Ireland.

Mr. McGrady: As the Minister has declared that he is aware of the intense demand in Northern Ireland for the recommencement of inter-party talks, does he accept that their recommencement and the peace process are not mutually exclusive but could run in parallel? There is a feeling in Northern Ireland of procrastination surrounding the inter-party talks, which are the most meaningful way of establishing peace in the long run. Will the Minister also confirm that talks will be on the basis of the March 1991 inter-party agreement?

Mr. Ancram: I hear what the hon. Gentleman has to say. I am certain that he would agree that, while we all wish to see multilateral talks recommence at an appropriate moment, it would be premature to try to get everybody around a table until the elements for agreement are in place. For that reason, I wish to continue my discussions with three of the four main constitutional parties in Northern Ireland to try to explore further what common ground is available on which we can advance.

PRIME MINISTER

Engagements

Q1. **Mr. Clappison:** To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Clappison: Is my right hon. Friend aware that in the past 12 months this country lost the lowest ever number of days to strikes? Is it not sad that that record is being spoilt by a trade union which, in pursuit of an 11 per cent. pay claim, yesterday inflicted hardship and inconvenience on thousands of travellers and commuters, including many of my constituents in Hertfordshire? Is it not conspicuous that that is not being condemned in any quarter by the Labour party?

The Prime Minister: Overall, our industrial relations record is extremely good, and the number of days lost in strikes is lower than it has been for more than 100 years. We now lose fewer days to strikes than Germany, France or the United States per head of population. As for yesterday's strike, the disruption that was caused to millions of people was inexcusable. Most of the public sector has settled on increases around the rate of inflation. The dispute is over a bid for an 11 per cent. increase before negotiations have even begun about productivity. It is unacceptable, it cannot be right and it should be condemned by every Member of the House.

Mrs. Beckett: Can the Prime Minister confirm that when yesterday his Chancellor ruled out tax cuts he was admitting what the Prime Minister refused to admit on Tuesday—that a second round of tax increases will go ahead next year and will cost a typical British family £800 a year more in tax?

The Prime Minister: I suppose that there must be some occasion on which the right hon. Lady will address the current issue of the strike and not wriggle away from it. If she is so concerned about tax, perhaps she will now withdraw all the public expenditure promises that she and her colleagues have made, and which inevitably would lead to higher taxation in future. If she will not withdraw those public expenditure promises, will she please indicate how they will be paid for and by what amount tax will rise?

Mrs. Beckett: That is twice in one week that the Prime Minister has refused to answer the question. Let us try again. Taxes will go up next year, won't they? Just say yes.

The Prime Minister: The right hon. Lady knows the contents of the Budget and knows also that she is wriggling and hiding behind promises that she cannot substantiate. Our tax position is clear and open and people know what it is. We have set out a position that is right for this country and which has brought this country back to better economic circumstances than it has known for many years. That is an honest and straightforward position, unlike the position of the right hon. Lady who makes promises of increased expenditure with no indication whatever as to whether she will borrow to meet them and put up interest rates, or tax to meet them, or break those promises.

Mrs. Beckett: But does the Prime Minister agree with the Chancellor that those tax increases, and the threat of interest rate increases, are a direct result of the Government's economic failure and their track record of boom and bust? Whom does he think the Chancellor was condemning—Lord Lawson as Mr. Boom, or the Prime Minister himself as Mr. Bust?

The Prime Minister: That was very well rehearsed, but it will not win the right hon. Lady very many votes. As for interest rates, I wonder if the right hon. Lady can remember a time when interest rates under a Labour Government were as low as they have been under this Government for the past 15 months. I wonder if she can remember a time when inflation was as low as it is under this Government now. I wonder if she can remember a time when our growth rate was twice as high as that of our European competitors. The answer is that she cannot—and, under any Labour Government, that would never be so.

Mr. Butler: Does my right hon. Friend recall that the Labour party has voted against every single tax reduction that has been introduced, over many years, by Conservative Governments, and has voted against every tax increase? Does he consider that to be consistency or stupidity?

Madam Speaker: Order. I remind the hon. Gentleman that it is the Executive that is responsible to the House, and the Executive that must answer questions, not the Opposition. That is the basis on which our democracy is built.

Mr. Butler: I apologise, Madam Speaker. It was because I was so surprised to be called.

Would my right hon. Friend consider such conduct on the part of his party to be consistent or stupid, had it taken place?

The Prime Minister: The Opposition's position is certainly consistently stupid, and stupidly consistent.

Q2. **Mr. Mackinlay:** To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Mackinlay: Does the Prime Minister agree with the Chancellor of the Exchequer that the people are often much more sensible than politicians? If so, has he reflected that last week—not only in Essex, but in a continuous, uninterrupted line from Dover to Oban—his policies were rejected and Labour's were endorsed? Does he not recognise that he is increasingly seen as the captain of the Titanic—carrying on regardless, blaming the iceberg and determined to rearrange the deckchairs while he puts people's lives at risk with his own reckless policies?

The Prime Minister: Well, that was quite an effort. There are certainly occasions on which the public are much more sensible than politicians. They were much more sensible than Opposition politicians in 1979, 1983, 1987 and 1992, and they will be more sensible than Opposition politicians again at a later date in 1996 or 1997.

Mr. Butcher: Does my right hon. Friend agree that the administration of law in this country now protects the civil liberties of yobs, bullies, violent criminals and drug barons so effectively that the civil liberties of the law-abiding majority are endangered? The Conservative party never wanted that, the people never wanted it and the Cabinet never wanted it. If the legal structure is being undermined, should we not find out who the termites are before introducing further criminal justice legislation?

The Prime Minister: I think that it is necessary to look at the interests of the majority of the people in the country. I share my hon. Friend's view: our present criminal justice legislation was formulated with that very much in mind, as were some of the ideas that I have outlined to the House on other occasions.

Q3. **Mr. Flynn:** To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Flynn: Will the Prime Minister confirm that, in support of his campaign for a more civilised Question Time, which I hope is still continuing, and in the hope of a rational reply, 24 hours ago I sent him the following supplementary question: because of his own personal responsibility and his Government's responsibility for introducing and promoting personal pensions, will he now give, in clear and simple language, a guarantee that the millions of people who opted out of the state earnings-related pension scheme and occupational schemes and who have been subjected to bad advice will have all their losses made up and their full pension rights restored?

The Prime Minister: The hon. Gentleman may not be quite aware of the present situation. The regulator has made it clear that he will use his powers to ensure that anyone who was mis-sold a pension will have a remedy. There is no need for investors in personal pensions to be too concerned; the hon. Gentleman should have understood that. Within the next few weeks, the Securities and Investments Board is due to publish a full report setting out the terms of redress which should be applied to investors who have been disadvantaged by that advice. They would be wise to wait for that report and not listen to the hon. Gentleman's scaremongering.

Dame Elaine Kellett-Bowman: Does my right hon. Friend agree that before the national health service reforms there was no such thing as equality of health treatment in this country and it depended entirely on where one lived? If one lived in Lancaster, one received good treatment, but if one lived in parts of the rest of the country, one did not. Will my right hon. Friend confirm that, following the reforms, best practice is spreading throughout the land?

The Prime Minister: I can confirm that that is the case. The health reforms are spreading best practice in every part of the United Kingdom and removing many of the anomalies that existed previously. That, and the increased resources available to the national health service, are intended to ensure that we have the best possible national health service for our nation that we can possibly afford.

Q4. **Ms Eagle:** To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

The Prime Minister: I refer the hon. Lady to the answer I gave some moments ago.

Ms Eagle: Is the Prime Minister aware that his Government are currently spending £121,800 a year of taxpayers' money on the salary of the chairman of Railtrack, who works only a three-day week? Is that value for money?

The Prime Minister: If he turns Railtrack into the efficient organisation that customers who use trains wish to see, yes.

Q5. **Mr. Duncan:** To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Duncan: Will the Prime Minister convey to the local government commission my constituents' overwhelming gratitude for recommending the return of the ancient and valiant little county of Rutland? Will he hop across from Huntingdonshire and hang a horseshoe in Oakham castle to celebrate that sensible and popular decision?

The Prime Minister: I know from my own experience how strong my hon. Friend's campaign for the return of Rutland has been and I congratulate him on the outcome. He mentioned other counties. I am familiar with one near to Rutland, which I hope will also return. I believe that questionnaires are to be sent to every household, which means that local people will be able to express their views on the matter and on what they wish the outcome to be. That is the right way to proceed.

Q6. **Mr. Keith Hill:** To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Hill: If the Cabinet is so bad that it needs a drastic reshuffle, as he promised on Monday, should not the Prime Minister take his fair share of the blame and reshuffle himself as well?

The Prime Minister: In the interests of helping the hon. Gentleman, I can tell him, first, that whereas on Tuesday he told the House that unemployment was up in his constituency, today I can tell the House after yesterday's figures that it is down—and I hope that he is grateful. The words that he metaphorically put in inverted commas—"drastic reshuffle"—have not crossed my lips.

Mr. Lamont: May I urge the Prime Minister at the forthcoming summit in Corfu to reject firmly the candidature of the Belgian Prime Minister for the presidency of the Commission? Even if Britain did not have an excellent candidate with a brilliant negotiating track record, is it not true that Mr. Dehaene is a federalist of the old-fashioned type and that no Belgian candidate would resist the ever-increasing demands of the Brussels bureaucracy?

The Prime Minister: At the moment there are only two declared candidates for the post—Sir Leon Brittan, whom we back strongly, and Dr. Ruud Lubbers. Both are highly respected in the European Community and are well known to all the member states. I have made no secret of my belief that Leon Brittan is the right candidate to be President of the Commission and he will have our strong support at Corfu. At this stage, I am not prepared to declare a position on any other candidate or possible candidate.

Business of the House

3.30 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): Will the Leader of the House please state the forthcoming business of the House?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 20 JUNE—Opposition Day (13th allotted day) (1st part). Until Seven o'clock, there will be a debate on "Reform of Parliamentary Procedure" on a motion in the name of the Liberal Democrats, followed by remaining stages of the Trade Marks Bill [*Lords*].

Motion on the Insurance Companies (Third Insurance Directives) Regulations.

TUESDAY 21 JUNE—Consideration of Lords amendments to the Social Security (Incapacity for Work) Bill.

Consideration of Lords amendments to the Sunday Trading Bill.

WEDNESDAY 22 JUNE—Opposition Day (14th allotted day). There will be a debate entitled "Failure of Her Majesty's Government on Overseas Aid and Development Policies" on an Opposition motion.

THURSDAY 23 JUNE—Debate on "Opportunities for UK Exporters" on a motion for the Adjournment of the House.

FRIDAY 24 JUNE—Private Members' motions.

MONDAY 27 JUNE—Until Seven o'clock, motions on the Ports (Northern Ireland) Order and the Ports (Northern Ireland Consequential Provisions) Order.

Motion on the Appropriation (No.2) (Northern Ireland) Order.

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday 22 June to consider European Community document No. 10635/93 relating to guarantees for consumer goods and after sales services.

[Wednesday 22 June:

European Standing Committee B—Relevant European Community document: 10635/93, Guarantees for Consumer Goods and After Sales Service. Relevant reports of the European Legislation Committee: HC 48-iv (1993-94) and HC 48-xxi (1993-94).]

Mr. Tony Banks (Newham, North-West): When is the summer recess?

Mr. Brown: I thank the Leader of the House for his statement and for the Opposition days. I appreciate that it will be possible for us to raise the question of Rwanda during the Opposition day debate, but it would be more appropriate if there were to be a debate on that in Government time. Is the Leader of the House able to tell us that, as things develop in Rwanda, he will be willing to allocate Government time to discuss that?

Is the Leader of the House yet able to give the House assurances about the two key economic debates that are required by the unified Budget process before the House rises for the summer recess? The House will need to know when we can expect the publication of the second set of Industry Act forecasts and we should like to know that we will have a one-day debate in Government time on those forecasts.

When will the Leader of the House be able to announce the date for the one-day debate on individual departmental expenditure plans? We have not had such a debate since 1991.

Finally, when will the Leader of the House be in a position to announce the date of the summer recess?

Mr. Newton: I saw some tension between the hon. Gentleman's opening question and the clearly heard sedentary intervention of the hon. Member for Newham, North-West (Mr. Banks) who asked about the date of the recess. I also saw tension between all the demands for debates and the demands for, no doubt, an early announcement of an early date for the recess.

Although I acknowledge that there is a clear commitment to an economic debate arising from the understanding at the time of the unified Budget, the more that I respond to the requests for debates, the more difficult it will be for me to respond to the last of the hon. Gentleman's requests and the longer into July we will sit. Of course, I shall bear his requests in mind.

Mr. Michael Stephen (Shoreham): Will my right hon. Friend find time for a debate on the powers and immunities of police officers when dealing with teenage criminals, because many of us believe that it would be far better if police officers had the same powers as parents to administer reasonable corporal punishment, rather than having to drag the young offender before a magistrates court, which hands him over to a probation officer or a social worker, who tells him not to be naughty and gives him a free holiday?

Mr. Newton: I understand why my hon. Friend raises that point and I am sure that, in doing so, he responds to quite a significant amount of public concern that one has heard expressed. However, I am sure that he will understand that I would not feel it appropriate to comment, as a Minister from the Dispatch Box, on the decision taken by the magistrates in the case that he has in mind.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Will the Leader of the House confirm that there are one or two important outstanding obligations in our relationship with the European Union? Having regard to the recent Government performance in European elections, when will we have debates on the accession Bill, which is required, and the own resources Bill? It may be of some interest to hon. Members sitting behind him.

Mr. Newton: I am not in a position, I am afraid, to give a definite and specific response to that particular request at the moment, although I am aware of the interest in those matters. I shall merely observe in passing that, in view of the results of the elections on Thursday, revealed on Sunday, I am slightly astonished that that point is raised from the Liberal Democrat Benches. Perhaps the hon. Gentleman can confirm whether he, too, took a bet on the matter.

Sir Teddy Taylor (Southend, East): Instead of passing more legislation next week, which may be repealed or amended or scrapped by the EC Commission in five or 10 years' time, at great cost to the British taxpayer, will the Minister instead arrange a day's debate on early-day motion 1336?

[That this House, wishing to maintain its tradition of keeping its procedures up to date, and recognising the legal and consequential costs of European Court judgements which oblige the United

Kingdom to amend or effectively to scrap legislation passed years ago, and accepting the implications of the fact that loosely worded European legislation does not achieve real clarity until the European Commission invites the Court to determine its precise meaning, believes that it would be in the public and the taxpayers' interest to submit all new Parliamentary legislation before the House of Lords stage to the officials of the Commission of the European Union to establish whether they consider that its contents are in keeping with the various treaties approved by Parliament.]

It suggests that, to save a great deal of money for the taxpayer and trouble and inconvenience, every piece of legislation passed through the House should be sent to the officials in Brussels, to receive their stamp of approval, in order to avoid such ridiculous and costly burdens on the taxpayer as a consequence of the treaties, to which we have foolishly agreed.

Mr. Newton: I always listen with close attentiveness to my hon. Friend, a fellow Member for the county of Essex. However, if he has in mind the accession treaty, I must say that it is a virtually universal desire of hon. Members to see the European Union enlarged in the way allowed for by the treaty.

Mr. Peter Mandelson (Hartlepool): Will the Lord President accept that there will be great disappointment among my constituents that the order implementing the Government's proposals for the reorganisation of local government in Cleveland does not feature in next week's business? Will he give an undertaking that, when the matter has cleared its judicial review, which I hope will be very soon, the Government will use all their best endeavours to bring the order before the House so that the matter may be resolved and proceeded with before the summer recess?

Mr. Newton: I certainly undertake to bear in mind the hon. Gentleman's representations and, indeed, no doubt, those of others as well. However, I can give no commitment on an exact date at the moment. In a sense, he half-answered his own question by referring to judicial review. It would clearly be inappropriate to proceed while that is going on.

Mr. David Lidington (Aylesbury): Will my right hon. Friend find time next week for a debate on early-day motion 1330?

[*That this House congratulates the staff and management of the Chiltern Line for maintaining rail services to passengers during the RMT strike on Wednesday 15th June.*]

It stands in the names of myself and my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan). A debate would enable hon. Members on both sides of the House to salute the dedication and professionalism of the railwaymen who, yesterday, kept the Chiltern line open to travellers, allowing myself and hundreds of my constituents to go about their normal business and meant that, encouraged by their professionalism, many more people used the trains, rather than took their cars to the roads, which would be the unfortunate consequence of the strike-happy attitude of so many Opposition Members.

Mr. Newton: I very much agree with my hon. Friend and I recognise the efforts of the staff on his railway line to whom he referred and also of those who ensured that trains were also running on a number of other lines, including, I understand, those affecting Southend, Barking, Oxford and Worcester.

Mr. George Stevenson (Stoke-on-Trent, South): Will the Leader of the House arrange next week for the President of the Board of Trade to make a statement about one of the most well-known British companies—Wedgwood—which is embarking on the expansion of its production facilities in another country? Does not such action fly in the face of the Government's claim that the climate in this country now favours investment? Does not he realise that it is also a savage blow to the economy of north Staffordshire?

Mr. Newton: As it happens, my right hon. Friend the President of the Board of Trade will be here to answer questions next Wednesday; perhaps the hon. Gentleman will have an opportunity to make his point then. For the moment, I can say only that, although the climate for investment in this country—including investment from overseas—has undoubtedly been greatly improved over the past 15 years, it is also important that our firms should be in a position to do business overseas.

Sir Anthony Grant (Cambridgeshire, South-West): Will the terms of the motion for Monday's business be sufficiently widely drawn to enable us to discuss the farce of Prime Minister's Question Time which, after all, only started as recently as the regime of Lord Wilson of Rievaulx?

Mr. Newton: Clearly, I cannot tell my hon. Friend what the terms of the motion will be, because that is in the hands of the Opposition. However, he will be aware of what my right hon. Friend the Prime Minister has said on these matters and that it appeared to win considerable approval from all parties. I also believe that the Procedure Committee gave some consideration to these issues yesterday and has decided to seek evidence from me and my opposite numbers in the House.

Mr. George Galloway (Glasgow, Hillhead): May I draw to the attention of the Leader of the House early-day motion 1276, which is entitled "Atrocity in Kuwait City"?

[*That this House welcomes the forthcoming visit to Parliament of U.S. citizen Naim Farhat, whose father and younger brother were brutally murdered in Kuwait City on 2nd March 1991, six days after the allied Liberation of Kuwait, and whose sister Naimat was raped, shot in the head and left for dead; notes that after intense U.S. congressional pressure the Kuwaiti Emirate eventually tried a Kuwaiti police officer, finding him guilty of the double murder and Naimat's attempted murder but insisting that the young woman 'invented' the rape accusation to 'whip up anti-Kuwaiti feelings'; and joins U.S. and international womens and human rights activists in calling for the withdrawal of the smear of false rape allegations against Naimat, the prosecution of the still unpunished accomplices, some of whom are connected to high Kuwaiti personages, full compensation to the family for their horrific ordeal, the disinternment of the dead victims and their re-burial in their home country of Lebanon.*]

It concerns the murder of the father and brother, and her attempted murder and rape, of Naim Farhat, who is in the House this afternoon. She is now living with a brother in the United States. Given that the family have alleged that the son of the Foreign Minister of Kuwait, Nasser Sabah al-Ahmed, and the crown prince of Kuwait, Saad Abdullah al-Sabah—both members of a Government returned to power at the point of British guns—are personally involved in the commission and cover-up of the crime, would not it be appropriate for the House to debate next week Britain's close and cordial relations with Kuwait so that justice may be won for this tragically afflicted family?

Mr. Newton: I think that the hon. Gentleman will understand that the appropriate response is for me to say that the investigation of any such alleged crime is the responsibility of the Kuwaiti authorities, but we have certainly encouraged them in their efforts to bring those responsible to justice.

Mr. Bob Dunn (Dartford): Will the Leader of the House arrange for an urgent debate on education in Kent, in view of the fact that, earlier this week, the Labour and Liberal parties voted to remove representatives of the Church of England and the Roman Catholic Church from the education resources sub-committee, thus denying the major spiritual influences in Kent access to influence the economic activity of the education authority?

Mr. Newton: I cannot promise to make time for a debate on precisely that matter next week, but I hope that my hon. Friend's words will be considered by those at whom they are directed.

Mrs. Margaret Ewing (Moray): We are to have a debate on Tuesday on one fairly contentious aspect of social security legislation, but would it be possible to extend it to reconsider benefits for 16 and 17-year-olds in light of the Prime Minister's disgraceful comments about young people begging in our streets, which he made during the European election campaign? Could it also be extended to cover civil rights for disabled people? Both topics emerged as major issues in the run-up to the election, and there is surely a need for the House to debate them.

Mr. Newton: The hon. Lady well knows that, despite the ingenious way in which she has managed to ask her questions without incurring your displeasure, Madam Speaker, there is no scope for enlarging consideration of Lords amendments to the Social Security (Incapacity for Work) Bill to include such issues.

As for the first part of the hon. Lady's question, it would be interesting to get some answers from elsewhere as to whether Opposition parties intend to return to a regime that would discourage youngsters of 16 and 17 from either staying at school or taking training that is offered to them.

Mr. Bill Walker (Tayside, North): Can my right hon. Friend find time for an early debate on the conduct of Scottish local government? He will be aware that, under the unusual procedure used to move the writ for the Monklands, East by-election, it will not be possible to raise matters relating to Monklands in the normal course of events because of the way in which we carry out our business.

Mr. Newton: I do not think that I can undertake to provide time for an early debate in view of the amount of time that has already been spent on debating local government in Scotland; no doubt there may be further opportunities in due course. I will certainly consider my hon. Friend's concern that the matters about which he is concerned should be further exposed in the House.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House agree that there is not a great deal of business left for next week and the remaining weeks in the run-up to the recess? In view of that, would it be a good idea to allocate a day or two for the Civil Rights (Disabled Persons) Bill, especially in view of the fact that when the House was in recess the Government, the Prime Minister and other Ministers went to Normandy and praised the disabled people who hobbled along the beaches at Normandy and Arromanches? Could there be a more sickening, hypocritical sight than that of a Government praising the veterans of D-day and at the same time kicking their crutches away?

Mr. Newton: I have made comments, as have many others, about the allocation of time and the fact that the House decided the allocation of time for private Members' Bills many months ago, and I do not propose to add to that this afternoon.

Mr. Bernard Jenkin (Colchester, North): Given the huge importance that the presidency of the Commission now has in the national lives of all the EC member states, and given the declaration at the end of the Maastricht treaty committing our partners to a bigger role for national Parliaments, what role will this Parliament have in the appointment of the President of the Commission?

Mr. Newton: My hon. Friend is perhaps implying a view; a view was also expressed by my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont) during Prime Minister's questions. I think that my hon. Friends are capable of finding ways of expressing their view—and, indeed, have done so.

Mr. Tam Dalyell (Linlithgow): May I ask the Lord President a question of which I gave his office notice this morning? Is there any chance of a statement next week either from the Foreign Office or—better still—the Crown Office about the statements in the court in Beirut of Youseff Shaban to the effect that he put the bomb on Pan-Am flight 103 which blew up over Lockerbie? Can he ask what the Government's response is to that statement, which some of us take with a pinch of salt? Can he also take into account the fact that distinguished Scottish lawyers have said that the whole Crown Office approach to Lockerbie is much too simplistic?

Mr. Newton: My noble and learned Friend the Lord Advocate is satisfied that the evidence available supports the charges against the two Libyan suspects. He has not seen any evidence relating to involvement in the Lockerbie disaster by Youseff Shaban. We understand from the Lebanese judicial authorities that Mr. Shaban made no confession of responsibility for the Lockerbie bombing prior to his reported outburst in court. Therefore, the situation is—I say this straightforwardly to the hon. Gentleman, acknowledging, if I may, his courtesy—that we are seeking further details of that report. If it proves to be relevant, it will of course be investigated. But it will be for the Crown Office and Dumfries and Galloway police to determine what investigation is necessary.

Mr. Oliver Heald (Hertfordshire, North): In considering the earlier request for a debate on industrial relations, will my right hon. Friend see whether it is possible to have wording that is wide enough to deal with not only the unnecessary rail strike but unemployment? This week, we had the good news of another fall in unemployment and the report from Manpower that we have the best employment prospects for four years. All the comments that are constantly being made by Labour Members about full employment suggest that bringing in the social chapter and a minimum statutory wage would be some sort of helpful approach.

Mr. Newton: I am grateful to my hon. Friend for his suggestion. It is certainly very striking that, of all the subjects that the Opposition could have chosen for debate on their day next Wednesday, they chose the one that they did. Perhaps it demonstrates even more clearly than before their reluctance to discuss unemployment simply because it is falling and—perhaps even more strikingly—the unwillingness of anyone whose name has been mentioned in connection with the Labour leadership election to utter a word of condemnation, or almost a word of any kind, about the present rail strike.

Mr. D. N. Campbell-Savours (Workington): May we have a debate on election law in the light of the fact that the election was abused in the west country when a Literal Democrat candidate stood. Does not that have implications for the Liberal Democrats on this occasion, but also for other political parties? Surely the matter should be sorted out.

Mr. Skinner: It got the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) £2,500.

Mr. Newton: It is fairly rare that the hon. Member for Bolsover (Mr. Skinner) is helpful to me, but I shall express my gratitude, take his good will and sit down again.

Mr. Simon Burns (Chelmsford): Given that it is a well-known fact that the Liberal Democrats are all things to all people, can my right hon. Friend confirm that the debate on Monday will be a very wide-ranging one on parliamentary procedures? Will it include the procedures for being elected to Parliament, so that we can look into the problems when someone such as Mr. Alec Kellaway changes party on the eve of a poll? Perhaps it could also give members of the Liberal Democrat party the opportunity to explain their position to the House, as there are rumours that one of them is possibly considering joining Mr. Kellaway in the Labour party.

Mr. Newton: I am beginning to think that there might be a range of interesting issues to be discussed, were I able to make time available. Perhaps that will be of some comfort to the hon. Member for Workington (Mr. Campbell-Savours), whose question I did not mean to be quite so dismissive with. It was just that I was left virtually open-mouthed by the friendliness from below the Gangway.

Mr. Harry Barnes (Derbyshire, North-East): The business that the House wishes to discuss and complete before the recess more than any other is the Civil Rights (Disabled Persons) Bill. Time after time, the House has made its opinion clear through a number of different avenues. If Members cannot decide that we will control our business through this House, where are we at? What is stopping us from doing what we want? The Leader of the House should respond to the feeling expressed by masses of hon. Members and should give us the chance to vote through the matter, one way or the other.

Mr. Newton: As I have said on a number of occasions, the House controls the time available for proceedings in such matters and did so through the Sessional Orders that it passed last autumn, at the beginning of the Session. For my part, the appropriate course is for the Government to concentrate, as they are doing very firmly, on introducing what they believe to be practical and workable proposals—unlike those in the Bill—to achieve the aim that we all share, which is to advance further the rights of disabled people.

Mr. Harry Greenway (Ealing, North): May we have a debate next week on the RMT strike last Wednesday and the possibility of another next Wednesday and more to follow, bearing in mind the intense suffering that the strike meant for my constituents, including children who needed to travel by train to take public examinations, whose future depended on their performance that day and about whom the Labour party and others do not seem to care at all?

Mr. Newton: While I cannot undertake to provide time for a debate, I certainly endorse my hon. Friend's remarks about the inconvenience, indeed hardship, caused to many people. In my judgment, like that of all Conservative Members and, probably, privately of many Opposition Members, it is extremely irresponsible of the unions to undertake a series of strikes about an 11 per cent. pay claim.

Mr. David Winnick (Walsall, North): Reverting to what the right hon. Gentleman said earlier regarding the summer recess, is he aware that Opposition Members are increasingly concerned that we are drifting almost to a part-time House of Commons, with more recesses—not holidays—than are really necessary? We believe that Parliament, or the House of Commons certainly, should remain a full-time place and I would deplore a three-month break. If the right hon. Gentleman is a victim of the reshuffle, will he pass the message on to his successor?

Mr. Newton: I will readily receive the message directed to myself. If what I said earlier was not clear, I shall say that some of the suggestions that I have seen in newspapers about the early date of the recess are far-fetched indeed, and I hope that nobody has booked tickets [illegible] the basis of them.

Mr. Rod Richards (Clwyd, North-West): Will my right hon. Friend find time for a wide-ranging debate on the economy so that the three contenders in the Opposition's jumble sale can tell the House what minimum wage rate is consistent with their concepts of full employment?

Mr. Newton: I should be happy to see whether I could find time for such a debate. The hon. Member for Newcastle upon Tyne, East (Mr. Brown) is urging me to find time for a wide-ranging debate on the economy, which we will certainly seek to do. There are a number of questions, alongside the one that my hon. Friend has asked, which we should like to see answered—not least, which of the Government's trade union reforms they would reverse, whether they would ever oppose any strike and what they have to say about the current rail strike.

Mr. Peter Hain (Neath): In view of the briefing from 10 Downing street at the weekend, contradicting the President of the Board of Trade's statement to the House on the Post Office privatisation, could the Leader of the House find time for an early debate on the matter so that we can clarify the Government's policy? We could also take the opportunity to condemn the statements and the behaviour of the chief executive of the Post Office, a public servant who has openly adopted a political stance favouring the privatisation of the Post Office in conspiracy with the President of the Board of Trade, possibly against the Prime Minister.

Mr. Newton: We shall be publishing the Green Paper as soon as we can, and the hon. Gentleman might wish to hold his fire until then.

Mr. Jacques Arnold (Gravesham): May we have a debate next week on the important subject of literal democracy? During that debate, we could consider the personal impact made on the people of Devon and East Plymouth in the European elections by the Liberal Democrat candidate, Mr.—*[Interruption.]*— he obviously did not make an impact on Liberal Democrat Members here either. We are told by the hon. Member for Truro (Mr. Taylor) that if people in that European constituency wished to identify the Liberal Democrat candidate, they had to crawl all over the small print on the ballot paper.

Mr. Newton: I shall take that as another interesting suggestion for the debate sought by the hon. Member for Workington.

Mr. Eddie Loyden (Liverpool, Garston): Could the Leader of the House arrange next week for the Prime Minister to respond to early-day motion 1287?

[*That this House applauds the efforts of the Rail and Marine Workers Union and the International Transport Workers Federation for financing and undertaking a marine search for the MV 'Derbyshire' that sank in the China Sea with the loss of all her crew; and wishes them every success in their endeavours that will be welcomed by seafarers worldwide, and in particular the bereaved families of the MV 'Derbyshire's crew who have waited for far too long for a reopening of the inquiry into the tragic loss of the 'Derbyshire' that casts serious doubts on the safety and seaworthiness of this type of bulk carrier.*]

That motion and early-day motions 1310 and 1317 refer to the MV Derbyshire and the recent events concerning the sinking of the vessel. They propose that the House address the question not only of the Derbyshire, but of bulk carriers in general.

Will the Leader of the House ask his right hon. Friend the Secretary of State for Transport to state next week that he supports the view that the Derbyshire families are entitled at this stage to an inquiry and to demand that the Government should now take responsibility for furthering the investigation to establish the cause of the loss of that vessel and its 44 crew?

Mr. Newton: As I am sure the hon. Gentleman will understand, the Government share the sympathy which he has expressed to the families of those lost on the Derbyshire, and we understand the renewed concern following the discovery of the wreck. The chief inspector of marine accidents will advise my right hon. Friend the Secretary of State for Transport in due course whether there is any justification to reopen the investigation.

Dame Elaine Kellett-Bowman (Lancaster): Can my right hon. Friend find time next week for a debate on Members' interests so that the practice of Liberal Democrat Members of using private polls for personal gain can be thoroughly examined? Would not that also give us an opportunity to recall that the hon. Member for Bolsover (Mr. Skinner) spoke for three hours one Friday morning, thus talking out Enoch Powell's abortion Bill?

Mr. Newton: My hon. Friend will be aware that the Select Committee on the Register of Members' Interests, as shown in today's Votes and Proceedings, has agreed a report. I cannot yet be sure whether that will require a debate, but I will bear it in mind.

Mr. John McAllion (Dundee, East): According to news reports this morning, President Clinton has praised the city of Houston in Texas for its recent record in reducing crime. That city has encouraged householders to arm themselves and shoot strangers who approach their houses, and an innocent British citizen, Andrew de Vries, was recently gunned down by a householder in Houston. May we, therefore, have an early statement from the Foreign Office about the advice that it is issuing to British citizens who go to Houston and, more important, about the assistance that it will provide to British citizens who, tragically, fall foul of a gun law under which people shoot first and ask questions later?

Mr. Newton: I will certainly bring that question to the attention of my right hon. Friend the Foreign Secretary.

Mr. Michael Bates (Langbaurgh): Has the Labour party approached my right hon. Friend to use one of its Opposition supply days to debate early-day motion [illegible]

[*That this House, noting the grossly unfair distribution of wealth in Britain under capitalism and the widening gap between rich and poor that has taken place over the last 15 years and recalling that the present Budget deficit is entirely attributable to tax reductions given to the richest taxpayers, and the cost of unemployment that was deliberately created, is convinced that the burden of military expenditure is far higher than can be justified and that other Government policies have been wasteful and inefficient; believes that the imposition of higher levels of VAT and its extension to fuel imposes a heavy burden on those least able to pay, as do other increases in taxation imposed in the recent Budget; rejects arguments that all reductions in taxation are necessarily desirable regardless of the purpose for which the tax is raised and the social consequences that would follow; affirms that the recovery of full employment, planned defence diversification, the rebuilding of our infrastructure, the extension of essential public services and the regeneration of British industry will require massive public investment, the harnessing of the nation's savings and taxation fairly shared and assessed on the ability to pay; and calls for a clear socialist commitment to be made now, about future economic, fiscal, industrial and social policies to secure these objectives.*]

The motion calls for a clear socialist commitment to massive public spending and has been signed by 50 Labour Members. Should that debate take place, may an opportunity be given to the hon. Member for Sedgefield (Mr. Blair) to come to the Dispatch Box and say whether he agrees with that sizeable chunk of Labour's electoral college?

Mr. Newton: I need hardly say that I have had no such request for a debate; nor do I expect one. Indeed, on the form of the last few days, even if I were to find time for such a debate, I doubt whether we would get any answers from Opposition Front-Bench Members.

Mr. Tony Banks (Newham, North-West): May we have a debate next week on football in this country, not simply because I should like to have a whinge on how Chelsea was robbed blind in the cup final by a strutting pedant from a public school who was purporting to be a referee but so that we could discuss the allocation of cup final tickets, the activity of touts outside Wembley stadium on the day, and the Football Association's decision to impose some horrendous penalties on Tottenham Hotspur? Those matters need to be discussed in the House because our constituents are discussing them outside.

Mr. Newton: I understand the hon. Gentleman's unhappiness about the outcome of the cup final. There may be one or two hon. Members from Manchester here. I had better not express my view—*[Interruption.]* I shall be cautious about getting involved in the matter between Chelsea and Manchester. It was an interesting game. The hon. Gentleman's last point is a matter for the Football Association and, again, the Government would not wish to get involved in it.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): May we have a debate on the serious issue of the import of Brazilian mahogany into Britain, given the serious damage done to both the ecology and the lives of indigenous people by the extraction of that mahogany? Although most of the imports of mahogany are illegal, the authorities here have failed to investigate the matter or take legal action.

Mr. Newton: As the hon. Gentleman is alleging a failure properly to enforce the law on imports into this country—in this case, of certain forms of timber—my right course is to draw the matter to the attention of the relevant enforcement authorities.

Points of Order

4.2 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. I wonder whether you would consider helping the Scots. As you know, every third Monday, the Attorney-General answers questions in the House. Alas, the Lord Advocate representing the Crown Office has no opportunity to do so.

I understand that the Chair is involved in discussions about how the Lord Advocate can report directly to the House of Commons. This afternoon, we had an example of that when I asked the Leader of the House a question about Lockerbie, which, after all, was the biggest crime against civilians in the western world since 1945. The Lord Advocate has been making dismissive statements about a proper investigation of extraordinary statements that have been made in middle east courts. I do not know whether those statements are valid, but some of us want to know what the Government intend to do to ascertain whether what is going on in the Beirut courts, with individuals claiming responsibility for the crime, will be properly investigated. The only way in which we could do that is to ask the Lord Advocate questions either upstairs in some Scottish Grand Committee procedure or if he could come to some other Committee established by Parliament.

As I understand it, there are discussions taking place, but they have been going on for some time on that matter and I wondered whether they were going to be brought to a head.

Madam Speaker: I understand the hon. Gentleman's deep concern about this matter, but it is not a question at this stage for the Chair. It is something that the House itself must deal with. As he will know, the Leader of the House is on the Government Front Bench and will no doubt have heard his comments. Perhaps he can make some inquiries into those matters on behalf of the hon. Gentleman.

Mr. Jon Owen Jones (Cardiff, Central): On a point of order, Madam Speaker. May I ask you whether you consider, in your role as the protector of the rights of Back-Bench Members of Parliament and protector of the rights of the House, that you might inquire into the matter of a question that I asked the Secretary of State for Wales, who is in his place? I received an answer on 12 May concerning irregular payments made by the Welsh Development Agency to its staff throughout the 1980s.

A report appeared in a newspaper this morning that went into details about those irregular payments, and the new management of the WDA claimed the credit for initiating that investigation. I have had no answer from the Secretary of State. I wonder whether you could approach the office of the Secretary of State and ask him to put right that matter and make some type of statement to the House.

Mr. Rhodri Morgan (Cardiff, West): Further to that point of order, Madam Speaker. That is disturbing to the Welsh affairs shadow Front Bench as well, because, in spite of the long period of notice that was given by my hon. Friend the Member for Cardiff, Central (Mr. Jones) in writing to the Secretary of State six weeks ago and the thundering silence from the Welsh Office, it appears now that the device of the quango concerned itself issuing the information in the *Daily Post* for publication this morning is being used to throw Members of Parliament off the scent, and that Secretaries of State, who are responsible to the House even for the acts of their predecessors, are simply not prepared to abide by that accountability of which I believe that you, Madam Speaker, are the protector.

Madam Speaker: I obviously cannot concern myself with newspaper reports, but I am concerned if the hon. Gentleman has not had a response to the question that he has placed on the Order Paper. I place prime importance on the procedures whereby individual Members receive proper responses when they place questions, and that statements are made in the House before they are given to newspapers.

The Secretary of State for Wales is on the Front Bench and no doubt he will now deal directly with the matter as far as he is free and able to do so.

The Secretary of State for Wales (Mr. John Redwood) *indicated assent.*

Ms Liz Lynne (Rochdale): On a point of order, Madam Speaker. Further to a parliamentary written reply that I received from the Secretary of State for the Environment, have you had any indication that he wishes to come to the House to make a statement about his reply to me to say that he, along with the Secretary of State for Social Security, instructed parliamentary counsel to draft amendments to the Civil Rights (Disabled Persons) Bill and for those amendments to be given to private Members? Have you had any indication that he will be coming to the House to make a statement about that disgraceful business?

Madam Speaker: I have had no such indication. I understand that the hon. Lady has written to me, but I have not as yet even seen her letter. Perhaps I can deal with it when I have seen her letter.

Statutory Instruments, &c.

Madam Speaker: With permission, I shall put together the motions relating to statutory instruments.

Motion made, and Question put forthwith pursuant to Standing Order No. 101 (Standing Committees on Statutory Instruments, &c.)

NORTHERN IRELAND

That the draft Rates (Amendment) (Northern Ireland) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Criminal Justice (Northern Ireland) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. MacKay.]*

Question agreed to.

Orders of the Day

Local Government (Wales) Bill [*Lords*]

Order read for resuming adjourned debate on Question [15 June] proposed on consideration of the Bill, as amended (in the Standing Committee), That the clause (*Financing of local government in Wales*) be read a Second time—

> '.—The Secretary of State, after consulting the Treasury, shall within six months of this Act coming into force present a report to Parliament on methods to restructure the financing of local government in Wales; such report shall include consideration of—
>
> (a) the feasibility of local government raising a local income tax, or receiving a proportion of the VAT and corporation tax arising from businesses within their area;
>
> (b) a tax placed upon second homes in Wales, the proceeds of which shall accrue to local government; and
>
> (c) the abolition of council tax and the uniform business rate.'.—*[Mr. Wigley.]*

Question again proposed.

4.8 pm

Mr. Dafydd Wigley (Caernarfon): I was somewhat put out last night on two accounts. First, I was put out by the way in which the debate was brought to a conclusion without any consultation with Members of Plaid Cymru, when we were fairly close to the end of a short debate, which we are now continuing, and which will no doubt take longer than it would have taken last night. I was even more put out by the response that I received from the Minister to the substance of the debate. The guts of the new clause was the question of how we make more resources available to local government and how we enable local government to have greater flexibility and discretion in the use of those resources, rather than its having to follow the diktats laid down by the Welsh Office and by central Government in London.

Goodness only knows, given the social and environmental conditions and the challenges of education and creating jobs in all our communities in Wales—especially in the run-down, old industrial areas, be it the slate quarrying areas in my constituency or the old coal mining and steel making areas—local government needs resources. It certainly needs more than it is getting and it also needs a greater discretion and flexibility to use resources to meet requirements in the various areas.

The Minister gave the impression that the council tax system is working perfectly. I do not doubt that it works better than the poll tax—it would be difficult not to be better. However, he must be aware, as I am, of countless constituents who feel that they have been the recipients of very rough justice under the banding system. He must also be aware of the strong feeling about the business rate. For many small businesses, that sort of overhead, in addition to the cost of water—which itself is often a heavy burden—could pull them down. There is a need to consider a more flexible system so that those who have difficulty paying could have lower bills while those who are doing well take on a little more of the burden. There is also the question of local government's use of the capital resources gained from selling council houses. There is a need to build new property for the thousands of people in Wales who are on housing waiting lists. All those matters need to be reviewed.

What disappoints me in particular is that the Government do not acknowledge the need to consider finance together with functions and structure. In the 1970s reorganisation—that was, after all, the baby of a Conservative Government—the opportunity was lost to look at finance, functions and structure together. That mistake is now being made again and I very much regret it.

I appreciate that we will not get much further on these issues this afternoon and that there is a wish to make progress on the Bill. However, I want to put to the Minister the fact that we must soon review the way in which the finances of local government work. There is also a need to give local government greater freedom and responsibility. By doing so, we will have a more meaningful form of democracy in local government in Wales.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 12

RIGHT TO NOTICE OF TERMINATION OF EMPLOYMENT

'.—The rights of employees of local authorities in Wales to notice of termination of employment and payment in lieu of notice, whether under contract or under sections 49 and 50 of and Schedule 3 to the Employment Protection (Consolidation) Act 1978, whichever shall be the greater, shall be preserved.'.—*[Mr. Morgan.]*

Brought up, and read the First time.

Mr. Rhodri Morgan (Cardiff, West): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss the following amendments: No. 30, in clause 42, page 33, line 17, leave out from beginning to end of line 46.

No. 31, in clause 43, page 34, line 1, leave out from beginning to end of line 38.

Government amendment No. 62.

No. 34, in clause 44, page 34, line 39, leave out from beginning to end of line 11 on page 35.

No. 12, in page 34, line 44, after 'treated', insert 'either'.

No. 13, in page 35, line 3, at end insert

'or to be entitled after 1st April 1996 to receive equivalent redundancy payments from the new principal council.'.

Government amendments Nos. 63 to 65.

No. 33, in clause 45, page 35, line 12, leave out from beginning to end of line 39.

Government amendment No. 66.

Mr. Morgan: This is one of the most important groups of amendments that we shall discuss, for two reasons. First, 130,000 people work in local government in Wales and the Welsh Members who represent them here must be aware of the need to give them some reasonable protection of their accumulated rights—or acquired rights, to use the European phrase that has come to the fore in the last week following the historic judgment of the European Court of Justice.

The second reason is important procedurally—I know you will take a particular interest in that, Madam Speaker—and relates to events after Second Reading on 15 March. The point was raised in Committee, but this is the first opportunity that the Secretary of State will have had directly to deal with the matter since Second Reading, although apologies were made on his behalf in Committee.

On Second Reading on 15 March, the Secretary of State recognised that clause 44 did not give adequate protection to workers in local government who might be affected directly by the Bill in terms of loss of status, loss of earnings or, ultimately, loss of jobs. He said that clause 44 would be redrafted by the time the Bill reached Committee stage. Unfortunately, although that pledge was repeated in the wind-up speech on Second Reading by the Under-Secretary of State, who I am glad to see in his place, there were no amendments to clause 44.

4.15 pm

An apology was made by the Under-Secretary of State on behalf of the Secretary of State, who was not a member of the Committee, but we have been told by people who have an extremely detailed knowledge of the proceedings of the House that the parliamentary draftsmen deputed to prepare the amendment to clause 44, as per the pledge given by the Secretary of State, were taken off it to follow instructions given to them by a non-Cabinet Minister, the Minister of State for Social Security and Disabled People, who was in his place five minutes ago, who issued instructions to the parliamentary draftsmen—I understand that it was the same parliamentary draftsmen—to stop preparing the amendments to clause 44 and instead to prepare the dilatory amendments to help the hon. Member for Sutton and Cheam (Lady Olga Maitland) spike the Civil Rights (Disabled Persons) Bill.

We have been given two unsigned letters to that effect by people whose understanding of the proceedings of the House in preparation of legislation is extremely detailed. In attempting to pursue the matter and get the full facts, I asked the Secretary of State for Wales on 23 May on what date the instructions were given to the parliamentary draftsmen to prepare the amendments to clause 44 of the Local Government (Wales) Bill, as had been promised.

Mr. Alfred Morris (Manchester, Wythenshawe): And by whom.

Mr. Morgan: I received no answer from the Secretary of State. He blocked it by saying that it is not the practice to provide details of internal decisions of that kind—a totally absurd answer as I asked the question only because, just five days previously on 18 May, my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) had received an answer from a more junior Minister, the Minister for Social Security and Disabled People, to his question:

"on what date the Minister for Disabled People authorised his Department to instruct Parliamentary Counsel on the drafting of the amendments tabled to the Civil Rights (Disabled Persons) Bill".—[*Official Report*, 18 May 1994; Vol. 243, *c. 525*.]

If the Minister of State can answer that on 20 April 1994 he authorised his officials to instruct Parliamentary Counsel to draft the said amendments that caused such interest at the time, particularly from you, Madam Speaker, I cannot understand why the Secretary of State for Wales cannot tell me, the people of Wales and the 130,000 people who work in local government in Wales on what date the Secretary of State sent his instructions to Parliamentary Counsel. I was told it was before; I am now told that it was after.

Mr. Alfred Morris: I am grateful to my hon. Friend. What he has said this afternoon is highly disturbing in relation to the Government's tactics on the Civil Rights (Disabled Persons) Bill. He is arguing that higher priority

[Mr. Alfred Morris]

was given to drafting the 80 amendments for Conservative Members to wreck the Civil Rights (Disabled Persons) Bill than was given to the keeping of a pledge to the House of Commons about the drafting of amendments to this Bill. That must be a very disturbing revelation for people on both sides of the House. I understand that what my hon. Friend has said is very well founded. I hope that the Secretary of State for Wales will now respond. He did not respond to the request for a written answer; I hope he will respond now. It is a very important House of Commons matter.

Mr. Morgan: I am grateful to my right hon. Friend for his further elucidation, and for confirmation of the importance of this issue by the person whose private Member's Bill was affected. It may not be proper for me to ask you, Madam Speaker, whether you could command the Secretary of State for Wales to answer the question.

Madam Speaker: Order. It would not be in order for me to enter the debate.

Mr. Morgan: But to stay within the rules of order of the House and to protect the public right of access to information—

Madam Speaker: Order. The hon. Gentleman wrote to me on that matter and I responded—the House did not know that. That is why the hon. Gentleman is able to raise the issue again today. It is for the Minister to respond—and if the hon. Gentleman will bring his remarks to a conclusion, the Minister may do so.

Mr. Morgan: I will not bring my remarks to a conclusion just yet. The Secretary of State does not seem anxious to answer, but the Minister is rising in his place, so I will give way to him.

The Minister of State, Welsh Office (Sir Wyn Roberts): As my right hon. Friend the Secretary of State said in his reply to the hon. Gentleman, it is not usual for the Government to announce the dates on which instructions were given to counsel. However, I am prepared to tell the hon. Gentleman that the date when final instructions regarding this particular matter were given to parliamentary draftsmen was 25 May.

I apologise to the House for the delay that occurred and for the fact that we were unable to produce amendments for the Committee stage as promised on Second Reading. The reason was that there had to be consultations within Government, and in particular with my right hon. Friends the Secretaries of State for Scotland and for the Environment, because similar provisions have to apply in Scotland and England, in respect of local government reorganisation, as in Wales.

Mr. Morgan: I am grateful to the Minister for going as far as he did, even though it would have been preferable for the Secretary of State to have answered, because he was not a member of the Committee and this is his first opportunity to apologise to the House for breaching the principle that if a Secretary of State, as a member of the Cabinet, makes a promise at the Dispatch Box on Second Reading to produce amendments in time for the Committee stage, it is kept. Such a promise is not meant to be like shortcrust pastry and easily broken, but is supposed to be of a cast-iron character.

I noticed that the Minister's answer was heavily qualified, for he used the words "final instructions". He said that they were given after the Committee had finished dealing with clause 44 on 17 May. Perhaps the Secretary of State can say when parliamentary draftsmen were first instructed to produce amendments to clause 44.

The Secretary of State for Wales (Mr. John Redwood): I unreservedly apologise for not meeting the commitment that I gave. I agree with all right hon. and hon. Members that one's duties to the House are most important and that one should always endeavour to meet one's undertakings. I did my best. It is not always possible to get busy colleagues together as rapidly as necessary to secure collective agreement on important matters. I tried, I failed and I am extremely sorry. My right hon. Friend the Minister gave the truthful reason why we were unable to meet quickly enough to obtain the agreement needed, but we did so as soon as we could.

Ms Liz Lynne (Rochdale): On a point of order, Madam Speaker. I would like the Secretary of State for Wales to confirm—

Madam Speaker: Order. The point of order should be to me, not to the Secretary of State. It must concern a breach of the Standing Orders of the House or our rules of procedure.

Ms Lynne: Can you confirm, Madam Speaker, that what I am about to say in respect of the Minister's reply—

Madam Speaker: Order. I cannot give a ruling on anything that the hon. Lady is about to say. If the hon. Lady seeks to intervene, she can enter the debate—but she must not involve me in the debate.

Ms Lynne: I feel that the House may have been misled this afternoon, so I thought it would be more appropriate to raise a point of order.

Madam Speaker: Order. The hon. Lady should not use a point of order in that way. Obviously she has something to say, and she is perfectly entitled to intervene. If she wishes to do so, she must seek the consent of the hon. Member for Cardiff, West (Mr. Morgan).

Mr. Morgan: I will first make the point that the Secretary of State has still not answered my question. Given the qualification in the Minister's response that "final instructions" were given on 24 May—which I am happy to accept—may the House be told whether earlier instructions were given, pertaining to the drafting of amendments to clause 44, as appears to be the case according to information that I received? If not, why did the Minister qualify his reply with the words "final instructions"?

Sir Wyn Roberts: The simple point is that one assumes that the draftsman reads Second Reading debates, and he would have seen from what was said on Second Reading that there would be changes.

Mr. Morgan: I am sorry, but I hope that before we finish this debate the Minister of State will rethink that answer, because it is totally inadequate. Is he saying that there was no contact other than that passive one, with the Office of Parliamentary Counsel being expected to read Second Reading debates and then request the draft amendments from the Minister? Is that the way in which the Welsh Office works in respect of drafting amendments? If it is, it is not surprising that a more junior Minister than the Secretary of State for Wales was able to get priority in the queue.

Ms Lynne: Is the hon. Gentleman aware that I received an answer from the Secretary of State for Wales on 25 May in response to a written parliamentary question, in which I asked:

> "on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members."

The Secretary of State for Wales replied:

> "I am advised there have been no such requests or instructions since April 1992."—[*Official Report*, 25 May 1994; Vol. 244, c. *176-177*.]

I should be grateful if the hon. Gentleman would comment on what he feels about the timing of that answer.

Mr. Morgan: I am grateful to the hon. Lady for supplying that information, which I will have to digest. Clearly, she has asked similar questions of many other Ministers. What is astonishing is that on Second Reading the Secretary of State gave an undertaking, which was breached, and that there was a procedure—I am informed —which meant that the Secretary of State for Wales appeared to be in the slow lane and the Minister of State for the Disabled, in tabling the dilatory amendments—which, of course, do not assist the legislation, which is why the taxpayer pays the salaries of the Office of Parliamentary Counsel—was put in the fast lane and given priority over the preparation of genuine and constructive improvements to legislation which were promised at the Dispatch Box.

That is an extremely unsatisfactory procedure when the futures of 140,000 people in local government are at stake on the one hand and the interests of 6 million disabled people are at stake on the other. Both have been shafted by a very shabby bit of dirty tricks at the Dispatch Box.

Mr. Redwood *rose*—

Mr. Morgan: I give way to one of the authors.

Mr. Redwood: That is a most unfair allegation. I have apologised to the House for the delay. I have given an honest explanation of the delay. It was a question of getting colleagues together and getting agreement on a general policy that would be relevant in Scotland and England, as well as Wales, to ensure that what we were doing was sensible or compatible, one with the other. My right hon. Friend gave a sensibly cautious reply about contacts with Parliamentary Counsel because neither he nor I usually undertake those contacts; they are undertaken by officials on our behalf, and we do not have the detailed knowledge of every contact that they have. But I now have advice to say that there was contact throughout April and May with Parliamentary Counsel, as one would expect, and they discussed options, but they were not able to give final instructions, because Ministers had not settled the policy. It is nothing to do with fast and slow lanes, or disagreements between ourselves and another Bill and another Minister. It is to do with settling our policy for this Bill to get it right.

Mr. Morgan: I do not think that we want to spend hours and hours on this issue, but on a like-for-like basis the Secretary of State has still not given the answer that is comparable to that given by the Minister for the Disabled. He is talking about continuous contacts, as though it were impossible for any Minister to specify a single date on which instructions are issued. Yet a more junior Minister —the Minister of State for the Disabled—was able to do that, albeit under enormous pressure, which was exerted by you, Madam Speaker, by other hon. Members and by people outside, in relation to the disgust that people generally felt about the way in which the Civil Rights (Disabled Persons) Bill was shafted, at taxpayer's expense and in an extremely illegitimate procedure. It was an abuse of the purposes to which the Office of Parliamentary Counsel is constitutionally put, and an unconstitutional method was used to shaft that Bill. What made matters much worse was the displacement of the proper use of the Office of Parliamentary Counsel to produce the amendments that had been promised.

I consider Government amendment No. 62 inadequate. Any member of the 140,000 staff who work in local government in Wales will still encounter difficulties in the event of redundancy or any other detriment arising from the Bill. The amendment does not appear to give local government staff any right to sue a new authority through an industrial tribunal, claiming unfair or constructive dismissal or other detriment. Although they could sue the old authority, that authority will not be able to pay up if it no longer exists, and there appears to be no guarantee that the new authority would carry the obligation to meet any claim for damages if a tribunal found in favour of a staff member whose case was not considered until after 1 April 1996.

4.30 pm

It seems that there is to be no transfer to the new authority of the full legal liability in regard to such cases. It takes some time for constructive dismissal cases to be dealt with by tribunals. Would staff be able to sue the new authority? If it is the old authority that they must sue, how would they get that authority to pay up?

There is another reason why the Government amendment is not as good as our new clause 17. The right to consult and the right to proper collective representation appeared to be at the heart of last week's ruling by the European Court of Justice, which conferred the continuation of rights acquired in previous employment when there is a legal transfer to a new employer. The amendment, however, does not seem to cover that.

It could be said that, until that ruling by the European Court, the Government could not have known that such a provision would have to be incorporated into the Bill. However, the matter has been in progress since the Government introduced their 1981 legislation, and they have had a fair bit of time to consider the implications of the acquired rights directive.

The Welsh Office, and many Welsh local authorities, have been at the heart of many of the most interesting test cases involving the directive and the continuation of workers' rights after their transfer of employment. We need only think of the Dyfed school cleaners test case, and a case that directly involved the Welsh Office's own lawyers—the South Glamorgan health authority case, in which the Welsh Office was involved as a party. That case concerned the potential privatisation of cleaning and catering services at four of the authority's hospitals; the authority was responsible to the Welsh Office.

I should have expected those test cases to have taught the Welsh Office lawyers a lesson—that they must cover the point arising from the acquired rights directive, particularly the right to consultation and collective representation, in legislation that will transfer 140,000 people. As far as we can tell, our new clause complies with both the spirit and the letter of the directive; more important, it will leave local government staff no worse off than they are now in terms of rights acquired through length of service, employment contracts and so forth.

It would save us a good deal of time and trouble if the Government were willing to accept today that their amendment may not be as up to date as they would like, although it has taken them three months—since Second Reading—to produce it. As the Government are already on the back foot on this issue, it would be helpful if, before the Bill goes to another place, they would further improve it, after taking on board some of the points that have been made since the path-breaking judgment of the European Court of Justice last week and after perusing new clause 17 and some of the other amendments.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I must confess that, due possibly to my ignorance and despite the Secretary of State's genuine promises on Second Reading, I found it difficult in Committee to understand where the staff stood in terms of the law and the way in which Government would handle the problems. As Opposition Members represent so many constituents who serve in local government, we should not allow the Bill to be enacted without a most thorough examination of how the Government intend to safeguard staff interests after the changes, which are beyond the control and responsibility of the staff. Reorganisation will be imposed on many people.

Mr. Alex Carlile (Montgomery): Is the hon. Gentleman aware that, as recently as 14 June, a letter was sent dealing with regulations on redundancy? There is great consternation among local government staff in Wales, who believe that, at this late stage, redundancy terms are far worse than Welsh Office officials led them to believe during negotiations. The percentage of staff who will be redundant will find themselves in a terrible position. It will be difficult for them to find commensurate employment and they will have little compensation.

Mr. Rowlands: The hon. and learned Gentleman rightly brings that serious issue to the attention of the House. I did not realise that such a letter existed. It adds to my preamble in which I said that we owe it to the staff to consider the matter carefully. We shall debate the issue until we find out what the position will be for local government staff, who will be seriously affected by the legislation. Whatever happens, many staff will experience a disturbing and anxious time.

The only way of handling the issue is to note what we have been told in the House, and particularly in Committee, in order to understand the ramifications of amendment No. 62. In Committee, two significant statements were made by the Under-Secretary. He said:

> "The Government accept that TUPE may apply to transfers in the public sector, including local government reorganisation, but the way in which it does so would depend on circumstances in each case. The Government do not accept that in the context of reorganisation all staff would necessarily have a right of transfer under TUPE. No doubt, we may want to return to that later."

That statement on the Transfer of Undertakings (Protection of Employment) Regulations 1981 applied to a considerable number of staff who were affected by reorganisation.

Later in the debate, the Under-Secretary clarified his argument. He referred to the advice of Patrick Elias QC, which had been received by the Local Government Management Board. He said that the advice

> "suggests that senior and central administrative staff in split authorities, such as counties, are less likely to be protected than similar staff in merged authorities, such as most district councils. If that advice is correct, it emphasises the importance of devising staff transfer arrangements that, as far as possible, provide equality of treatment for all staff."—[*Official Report, Standing Committee A*, 17 May 1994; c. 524-40.]

That statement lifted the veil on the first statement that some staff were covered by TUPE and some were not. He clarified and redefined his first statement. That is how matters stood. At least TUPE could apply to a large number of staff.

Perhaps I am not reading the legislation correctly or perhaps words do not mean what they seem to mean. I want to draw the House's attention to the words of amendment No. 62. It is a Government amendment and has not yet been moved or spoken to. Inevitably, the initial part of our debate will be interrogative—asking questions, rather than making statements. The amendment says:

> "in relation to a person whose contract of employment is terminated as a result of this Act"—

so the responsibility is fully that of Government legislation—

> "it shall be assumed that he was dismissed by the old authority concerned by reason of redundancy immediately before 1st April 1996 and that his dismissal was proposed by the authority."

What do those words mean and what effect will they have on people's rights under TUPE? I have a lawyer sitting not far from me. Am I right in saying that it is an attempt to frustrate contract? If so, is that the intention? If that is the intention and we accept the amendment, does it remove people's rights under TUPE? I am a layman wandering around in this world and I am trying to use the correct language. If people have been dismissed and re-employed, does it mean that a transfer has not taken place? Therefore, am I right in saying that TUPE will not apply?

If I am right, it is very serious and I find it hard to believe. It rubs against every assurance and all the good words that we had from Ministers in Committee and on Second Reading to the effect that there was no such intention. Do the words of that amendment in any way jeopardise the rights under TUPE which were accepted by Ministers and by counsel's opinion to the Welsh Local Government Management Board?

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): This is the core point of the debate. It was raised by me on Second Reading and an assurance was given. It was raised again in Committee on 17 May and again an assurance was given. To this day, we do not know the answer. The hon. Gentleman is perfectly right to refer to frustration of contract. It is nothing short of that and, in my respectful submission, it is a disgrace. Perhaps the hon. Gentleman agrees with me.

Mr. Rowlands: I am getting some confirmation about my interpretation from those who know more about this than I do. If my interpretation is correct, we should be deeply disturbed and there should be a tremendous row. I am half hoping that somehow Ministers will show that this is not the way to interpret the words and that there is no intention to remove the rights of staff who are to be transferred. We will look later at the view of Mr. Elias and the Local Government Management Board. Ministers accepted in Committee that TUPE applied to a significant proportion of staff, although not to all. I fear that amendment No. 62 could be interpreted as an attempt to remove people's rights, because they are not being transferred but are being dismissed and reappointed. I do not want to build great edifices on a weak foundation. However, if I am right, we will feel a sense of betrayal, as will an enormous number of staff in local government.

Ministers have been very helpful in this regard. After Mr. Patrick Elias's opinion was referred to in Committee, we were quickly circulated with copies of his opinion. I suspect that it has been subsumed into the Local Government Management Board document "Reorganisation in Wales Human Resource Timetable". I am old-fashioned and I think that this sort of language—the language of modern industrial relations—should be outlawed by the Secretary of State. In fairness, it is not his document. I do not want to weary the House with the document, but it analyses in considerable detail the application of TUPE. It states that the Advocate-General of the European Court of Justice believes that the directive applies to the public sector and covers transfers of undertaking such as those affected by local government reorganisation. It concludes by stating in paragraph 31:

> "Although it seems certain that as a result of this change TUPE will apply to local government reorganisation, the government has so far not formally accepted this, and the point is yet to be tested in the courts."

4.45 pm

I thought that in Committee the Government had accepted that certain groups of staff would be covered by TUPE. I accept that they qualified that by saying that it did not apply to all staff. That is shown by the second of the two references I made to our debates in Committee on clause 44. If nothing else, before the House proceeds much further, we must obtain confirmation from the Minister that TUPE does and will apply.

If any doubt is left, are we going to drive local government representatives and organisations to the enormously expensive business of applying for a judicial review? That is potentially very expensive and would use a great deal of council tax payers' money. Also, imagine the enormous cost of having to go to the European Court. We should not pass amendments which we do not understand and which would leave enormous challenges to be pursued and enormous costs incurred. We need a full explanation. In the spirit in which I introduced my remarks, I ask the Minister to clear this matter up.

My next point deals with who is covered by the amendment. Local government employs a fantastic number of people in different ways. The Minister was kind enough to provide me in a written answer with some figures on the employees in local authorities. Mid Glamorgan has 12,000 full-time employees and 9,000 part-time employees. Would just the administrative staff be covered or would everybody who works for the authority? How many employees, as opposed to administrative staff, would be affected and have their contract deemed to be terminated under amendment No. 62? How extensive is the process described in amendment No. 62?

I should like the Minister to clarify the position of direct labour organisations and direct service organisations. As a result of various Government changes during the 1980s, they are semi-detached from Government and have to apply for contracts. That is a good layman's way of describing them. What happens to those employed by direct labour organisations and direct service organisations as a result of the reorganisation and what are their rights?

I hope that I have indicated—nothing more than that—that those are very important and serious questions to be answered. I am not willing to condemn the Government and I shall not say that they are doing anything nasty, dirty or reprehensible at the moment, but I want to know and try to understand exactly what they are asking us to accept in amendment No. 62. I find the whole world of local government staffing and its language fairly difficult to understand. I should be grateful if the Minister, who perhaps understands such things, would tell me what this marvellous quote from the report by the Local Government Management Board means:

> "The drawing up of staff structures will be a major task for the HAPS".

Who are the HAPS? The report continues:

> "and the management team, (and any other senior staff, including HR specialists".

Paragraph 41 says:

> "Current estimates are that some 90—95 per cent. of existing staff will transfer by order."

Is that the percentage that will be transferred if we accept amendment No. 62, or will anybody be transferred if it appears that a person was dismissed first and then reappointed?

Those are important issues and I hope that the Minister will explain it to hon. Members and, more importantly, to the thousands of people whose livelihood, jobs and security are threatened—perhaps that is a strong word. Anxiety has descended on them as a result of a piece of legislation which we shall probably pass by the end of the evening.

Mr. Alex Carlile: I wonder whether the Minister can help us in relation to the redundancy and severance terms and compensation arrangements for those employees of existing local authorities who are affected by reorganisation. I refer in particular to a letter dated 14 June, which reached its listed recipients only yesterday and, therefore, was made available to hon. Members after the debate had started. In my case, it was made available today. It is addressed, among others, to the Welsh Office, so I assume that the Secretary of State has received his copy by now. It is also addressed to the Shadow Staff Committee for Wales, as well as to district and county councils in England and Wales. I realise, of course, that it is a consultation document and that responses will be sought to it and that it may be amended in due course. However, one is bound to wonder why the document has not appeared with the draft regulations until now, bearing in mind the expressions of concern in Committee several weeks ago.

Mr. Morgan: And on Second Reading.

Mr. Carlile: And, indeed, on Second Reading, as the hon. Gentleman says. Will Ministers explain to the House why such an important matter, affecting so many of our constituents, appears not to have been resolved until this very late stage?

Paragraph 2 of the letter is headed:

> "The Local Government (Compensation For Redundancy) Regulations 1994".

Was the Welsh Office consulted on the matter; if so, what representations did it make on behalf of those loyal

[Mr. Carlile]

servants of local government in Wales, many of whom, if they are in the 5 per cent. or so—a minimum estimate of those who will lose their jobs—will find it difficult to obtain jobs elsewhere, at least without a disturbing and upsetting uprooting of themselves and their families? Paragraph 2 states:

> "A maximum ceiling on payments is now proposed, based on a tariff which takes account of age and service."

When was the change decided which leads to the word "now" being included in the sentence? What is the reasoning behind the introduction of that maximum, which was obviously based on a change of mind by the Departments concerned? The paragraph continues:

> "Employees, aged 50 or over, who qualify for immediate payment of pension under the local government superannuation regulations will not now be able to benefit from these regulations."

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has shown a great grasp of these issues, which is much better than that of many lawyers, who still find employment regulations a little strange and difficult to deal with and are a little perplexed by it all, apart from one or two experts, like the wife of the hon. Member for Sedgefield (Mr. Blair). Why has it been decided, at least at the proposal stage, that employees who are entitled to benefit from the local government superannuation regulations should no longer be allowed so to do? How is it considered to be fair that that should be brought on employees of 50 or over, who will find it especially difficult to find at least commensurate new employment?

Part 3 of the draft regulations deals with the authorities affected by local government reorganisation and provides that, for a defined period of reorganisation, there will be a mandatory floor between the statutory minimum under employment protection legislation and the discretionary statutory maximum. That means that a limit is placed on the compensation arrangements available to those who are made redundant as a result of local government reorganisation.

We must examine what level of compensation is proposed for those who are made redundant as a result of reorganisation. We are told that those mandatory payments will accrue at the rate of 1.5 weeks' pay for each year of service between the ages of 23 and 41 and 2.5 weeks' pay for those between 42 and 49, but up to a maximum of 45 weeks' pay plus a generous extra half-week for 45 to 49-year-olds. As I understand it, that means that a 22-year-old clerk or housing officer working in a local authority affected by reorganisation will receive six weeks' pay if he has worked there for four years. As an estimate of loss, that is not merely stingy, but borders on being absurd, especially for local government officers working in rural Wales. I hope that my understanding of what is proposed is wrong, but that understanding is shared by local government officers who have received notice of the proposals in the past 24 hours.

Let us take another example at the extreme end: a 53-year-old chief planning officer, who has very little prospect of obtaining a job elsewhere, will receive a maximum of 45 weeks' pay as compensation. How does that compare with the compensation arrangements available in the private sector? It does not compare even with the limited compensation arrangements available to Members of the House who lose their seats.

Surely, at the very least, we should be able to give loyal and experienced local government officers compensation arrangements commensurate with what they would be able to obtain in a comparable area. I suggest to Ministers that one comparison would be what employees would obtain if they went to an ordinary court for breach of a similar contract of employment. Someone in as one-off a type of employment as the example I have given should be able to claim a year's notice at the least, yet under the proposals he would be given just over three quarters of a year's notice. It is not good enough for the Government to set such low standards in the public service compared with the private sector. There are examples of people who have been brought into the public service from the private sector and of enormous compensation payments being made.

The draft regulations provide:

> "during the period of reorganisation, local authorities are obliged to compensate employees below the level of the mandatory floor but . . . they retain discretion to pay up to the prescribed maximum".

There is great uncertainty among local government officers about what they will be able to recover in compensation for loss of office and consternation and genuine concern in Wales as a result of the draft regulations and the letter, not least because the information has been provided at such a late stage.

5 pm

Will Ministers at least confirm that they will adopt a flexible attitude during the consultation period and that they will examine seriously the "comparables" that can be found elsewhere so that we can ensure that fair compensation arrangements are available to some good officers who, unfortunately, are bound to lose their jobs? That is a matter of particular concern, as many of the 5 per cent. will be at a senior level. They will be in the older age group and are likely to be the people most affected by heavy family and mortgage commitments, which they may become unable to meet.

Mr. Llwyd: I have three specific questions to ask. First, amendment No. 62 refers to "any other enactment". What does that mean? Am I right in thinking that it is a reference to TUPE regulations; or is it a reference to another enactment? It is important that the meaning of those words is made clear today.

Secondly, will there be an entitlement to receive notice of termination of employment? The Minister will no doubt realise why I ask that, and it is important that we receive an answer.

Thirdly, in connection with the "enactment" to which I have already referred, I draw the Minister's attention to section 5 of the TUPE regulations. Am I right in thinking that any contract which would otherwise terminate shall be transferred to the new authority by virtue of those regulations? Those three core questions deserve to be answered, not only for our sake but for that of the tens of thousands of people in Wales who have, alas, been considering the passage of the Bill with a less than enthusiastic gaze in the past few months.

Part of the reason for their lack of enthusiasm has been that matters so vital to them have had to be raised time and time again. As I said in an intervention on the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), on Second Reading I mentioned TUPE and the frustration of contract and was told that the issues would be dealt with. Not having been satisfied in any shape or form, I raised them again in Committee on 17 May, when assurances were again given. If Government assurances are to mean anything, they must be fulfilled. That is a painfully obvious point. I believe that these issues, at the very least, should be cleared up today so that we can give accurate reports to the people of Wales.

As a first principle, I do not accept that the provisions now being discussed by the English Staff Commission should apply to Wales. Clearly, we are seeking the most appropriate arrangements for employees in Wales, and local government in Wales will of course differ from that in England in two key respects. First, reorganisation in Wales, unlike reorganisation in England, will not be phased but is to take place on one specific date. Therefore, the opportunity for staff to seek other employment in local government is diminished. Secondly, and just as important, local authorities are the major employers in many parts of Wales and, given the economic circumstances of the region —or the country—it might be difficult for staff who lose their jobs as a result of reorganisation to obtain further employment.

I note that the Local Government (Compensation for Redundancy and Premature Retirement) Regulations 1993 give authorities the power to pay at their discretion up to 66 weeks' severance pay—less, of course, any redundancy payment to which the employee would be entitled under existing statutory and local government legislation. Those regulations were made in the wake of the Court of Appeal decision in the case of North Tyneside Metropolitan Borough Council *v.* Allsop. They were not drawn up as a response to local government reorganisation, and I believe that they would be inappropriate in this instance.

Like many other hon. Members, I am especially concerned about employees aged between 40 and 49 or 50 who may be casualties of this reorganisation and who will doubtless find it very difficult to obtain commensurate jobs elsewhere. Compensation arrangements for reorganisation should not apply only in respect of redundancies which take place on 31 March 1996. I believe that they should operate for a period of, say, a year or 18 months before and after reorganisation. That would provide an incentive for staff who wish to take early retirement and make way for employees who would otherwise be made redundant on vesting day. It would be only right and fair if that were to happen. Of course, reorganisation compensation should be paid only if redundancy is due specifically to the creation of the new authorities. In the case of other redundancies or early retirements, I believe that the usual arrangements should apply.

I have already asked questions about TUPE—questions which were also eloquently posed this evening by the hon. Member for Merthyr Tydfil and Rhymney. Ministers are no doubt aware of last week's landmark decision in the European Court of Justice, and I sincerely trust that the Government will not have to be hauled again by their hair through the courts because of their stubbornness and disrespect for the rights of ordinary working people. I am sure that their mandarins are now considering their obligations in the light of that decision, and I respectfully suggest that TUPE will most definitely apply to everyone involved in this transfer. Indeed, I would go further and say that, fortunately for me, that was also my opinion on 17 May—an opinion I still hold—when I declared that the Government were intent on acting illegally and that EC directive 75/129 on employment provisions, which was later amended by another directive, came into force under the Trade Union Reform and Employment Rights Act 1993. As Ministers are aware, the method proposed under that Act for calculating redundancy payments is abundantly clear.

Mr. Alex Carlile: Will the hon. Gentleman comment on some information that I have just received? I have just been told by a senior local government officer that it is now understood that older officers—those over 49 years of age —will not receive the compensation that I outlined. By reason of their age, they will be given less. I understand that in my example a 53-year-old local government officer in Wales will be able to recover only 26 weeks pay under the proposed regulations.

Mr. Llwyd: I agree that that is an appalling scenario, and I trust that it will prove to be faulty in due course. I am sure that the interpretation is right, but it is absolutely unfair and we must examine it carefully.

The 1993 Act details some ways of avoiding dismissals, reducing the number of employees to be dismissed and mitigating the consequences of dismissals. Those matters are important. I have already referred to the TUPE regulations. Once again, I invite the Secretary of State and Ministers to respond to that point. As for the point raised by the hon. and learned Member for Montgomery (Mr. Carlile), if that is the correct interpretation, it is an appalling situation.

There is, I regret to say, continued uncertainty and there are no hard facts about the Secretary of State's commitment to a 95 per cent. staff transfer level. We have heard references to the opinion of Mr. Elias QC. I am still in the dark about that; what is worse—and more important —many thousands of people in local government in Wales are also in the dark. May I ask the Minister how that staff transfer level was initially derived, measured or compiled? How will that level of transfer be achieved if all the staff seeking continued local government employment are not transferred by order on 31 March 1996? The Government need to be precise and clear at this stage or they will face the continuing accusation of window dressing for political and pressure effect, rather than dealing with the substance of this vital issue.

I have already referred to the TUPE regulations. The European acquired rights directive was applied in the European court case. However much Ministers may seek to bury their heads in the sand, we are part of the European Union and, accordingly, we are bound by that directive and the court's decision. I hope, therefore, that in the next few days—not months, as we have seen with the tabling of amendments—we might have some pertinent references to that case and possibly some early and urgent amendments to the way in which the Government are thinking about the matter.

I respectfully remind Ministers that the objective of the European acquired rights directive is twofold: first, there is a need to secure appropriate posts in the new councils for all staff who wish to continue in local government employment; secondly, there is a need to protect both the global level and the important position of local government employment in the socioeconomic life of Wales.

I shall ask the Minister some further questions. I hope —perhaps I am hoping against hope—that he will answer them because we need details; otherwise, as the hon. Member for Merthyr Tydfil and Rhymney said yesterday, the process of scrutiny is a sham. If it is a sham, we are

[Mr. Llwyd]

letting the people of Wales down. I believe that we are letting them down anyway because the Bill is badly flawed. We need clear indications from the Government on staff transfer arrangements, TUPE and compensation arrangements for Welsh employees.

Reference has been made to frustration of contract. We need details on that today. We also need the details of detriment packages for loss of earnings and so on. Undoubtedly, the Minister will refer to the letter that was sent out on 14 June. I make no apology for not having read it. It is my good fortune that the hon. and learned Member for Montgomery handed me a copy a few moments ago. I have not evaluated the covering letter, and I make no apology for that. The letter should have been made available at a much earlier stage than the Report stage of such an important Bill.

To say that the situation is disappointing is not strong enough; I am very disappointed—it is a shambolic way to run any Department. The Department of the Environment is writing letters when the Welsh Office is supposed to be dealing with the matter before the House. Why did the Welsh Office not request the information earlier? Why were hon. Members not made fully aware of the consultation process before now? If I am corrected by the Minister at any stage, I make no apology for that. I am in blissful ignorance of the provisions. It is unfortunate that those of us who spent six weeks in Committee were not even accorded the decency of being allowed to know what consultation was going on behind closed doors. This is supposed to be the Government of open government, but we have yet another example of anything but open government. It is a shambolic experience and I am disgusted by it all.

5.15 pm

There are compensation provisions. We are all being invited to take part in the process known as consultation, which may or may not turn out to be true consultation. In the past, I have been less than happy about the standard of comprehension by Ministers and, indeed, the extent to which they are prepared to listen during the consultation process. However, for what it is worth, I will throw my hat into the consultation ring. As the Welsh changes will happen on the same day, and as the average wage for local government employees in Wales is low, it is important that we are given firm indications of the direction in which we are travelling. I have referred to detriment and frustration of contract. Once again, I invite the Minister to respond fully to those points.

I shall put forward one or two views which I hope will be taken into account in the so-called consultation process. I believe that there should be a statutory non-discretionary scheme, adopting the principles of the 1986 regulations but with improvement for employees over 50 and between 45 and 50. Employees aged 50 and over who are so entitled should receive an immediate pension with maximum added years and a maximum severance payment of at least 52 weeks' pay. A maximum of 82 weeks' pay should be made to those not entitled to an immediate pension. Those aged 45 should have their pension frozen and brought into payment at the age of 50 with maximum added years and a minimum severance payment of up to 82 weeks' pay. The calculation of redundancy payments should be based on an actual week's pay or any multiple of that.

Nothing short of a full reply to those detailed points will allay the fears that I have for my constituents and for all local government employees in Wales. They deserve to be told where they are going. They are energetic and they went into the service with the best possible intentions. Some of them went through the trauma of the 1972-74 changes and are now to be subjected to this reorganisation. People in Dolgellau who have young families, mortgages and so on are desperately worried about their future. I cannot stand idly by and tell them, "Yes, I raised it on Second Reading and I am to be given a reply" or "Yes, I raised it in Committee and I am to be given a reply." We are now on Report: for heaven's sake, will the Minister please reply?

In conclusion, I refer briefly to the assurances given by the Under-Secretary of State at a conference in Llandudno on 7 January, to which reference has been made. He said then that he would urge that Welsh provision should be tailor made to meet the needs of organisations in Wales. I am asking him to deliver on that undertaking.

Mr. Peter Hain (Neath): The Minister will be aware —he will contradict me if I am wrong—that Lliw Valley borough council is the only example of a borough authority that will be split after the change to the new unitary authorities. As such, it is distinct from a county which will —and does—supply services to a range of residents in different borough authorities. When staff are transferred from counties to new unitary authorities, therefore, they will be in a slightly different position from those in a borough authority.

A number of questions were raised by the Under-Secretary of State's answer in Committee when he said, referring to advice received by the Local Government Management Board, that

> "senior and central administrative staff in split authorities, such as counties, are less likely to be protected than similar staff in merged authorities, such as most district councils."

He continued:

> "If that advice is correct, it emphasises the importance of devising staff transfer arrangements that, as far as possible, provide equality of treatment for all staff."—[*Official Report, Standing Committee A*, 17 May 1994; c. 540.]

It is significant that in that brief but highly potent statement the Under-Secretary of State referred only to a split county authority, not to the only example of a split district council that I can think of in the reorganisation —Lliw Valley district council.

Can the Minister reassure my constituents and those people working in Lliw valley—both that part served by my hon. Friend the Member for Gower (Mr. Wardell) and the upper Lliw valley, which I represent? I imagine that a teacher working in a school in Godrergraig, which is to be transferred into the new Neath and Port Talbot unitary authority, will also be transferred to that authority, so there will be no problem. What about a park attendant employed in Pontardawe, let us say? He or she will also be transferred to the new unitary authority, which is Neath and Port Talbot.

What will happen to members of staff in Lliw valley who straddle the divide? They may be housing officials —or work in leisure, recreation or some other council department—who do not have a location on either side of the border. Where would they be transferred and would their rights be fully protected?

It is not clear whether all existing employment rights will be protected consequent upon transfer to the new unitary authorities. That is a general point. Even though the Government are tidying up the arrangements through these amendments, they do not seem to guarantee that all existing employment rights will be protected as a general principle. But it is a particular problem in the schizophrenic situation that I have mentioned, where some employees of Lliw Valley are in the anomalous position of serving both sides of the border and it is not clear to which authority they will be transferred—Neath and Port Talbot or Swansea. Will their redundancy, contracts of employment, pay, salary and conditions all be protected?

It is very important for the Minister to give some serious reassurance that the Bill protects the rights of those individuals who are caught between the two authorities. It is not clear to me that the Bill as drafted, or as it might be changed by these amendments, would give them that protection. They would value a positive response from the Minister in that respect.

Sir Wyn Roberts: This is indeed an important batch of amendments. Let me assure the House at the outset that we do not expect the reorganisation to lead to a large reduction in the number of staff. We hope to secure the necessary reductions in staffing levels by voluntary redundancies. It should, therefore, be possible to avoid any compulsory redundancies on 31 March 1996, but the House will appreciate that I cannot give a guarantee on that matter, since a great deal depends on the decisions of the new authorities and members of staff.

Volunteers for redundancy could be sought in the summer and autumn of 1995, but only from among those staff whose jobs are changing or disappearing as a result of the reorganisation. Staff whose jobs are not changing, such as teachers, care assistants and so forth, will be transferred, so the question of redundancies and compensation will not arise for them.

My hon. Friend the Under-Secretary of State for the Environment announced on Tuesday the Government's proposals for the severance payments that authorities could make and hon. Members have referred to them. We are proposing that staff under the age of 50 could qualify for a redundancy payment of up to 66 weeks' pay, depending on age and length of service. It would be up to the authorities, if they wished, to make a payment at the highest permissible level, but we propose that they should not be allowed to go below a minimum floor, which will apply for reorganisation-related redundancies occurring in the calendar year 1996. That is what we are consulting on and not the document of November 1993, to which the hon. and learned Member for Montgomery (Mr. Carlile) referred.

The proposed local government redundancy compensation payments do not cover people beyond the age of 50 because staff over that age can qualify for immediate payment of pension. Staff under the age of 50 cannot do so and it is appropriate, therefore, for the higher redundancy payments to be made to them. They are higher. I assure the House that both the floor of payment and the maximum payments will be considerably better than entitlement, in the form of the statutory minimum under the Employment Protection (Consolidation) Act 1978.

The transfer arrangements would be as follows. First, there would be a competition for chief executive and chief officer posts. I would expect that process to be completed by the end of summer 1995. Staff whose jobs were not changing would be identified and listed in draft transfer orders, which would be published no later than the end of November 1995. Any other staff with the right of transfer, under TUPE, would be included in supplementary transfer orders.

Volunteers for redundancy would be sought from the remaining staff. Those who did not volunteer presumably would wish to remain with local government and would be seeking a post in a new authority. The new authorities would have at least until the end of March to complete their procedures for recruiting staff to the new posts that they would be creating.

We hope that sufficient volunteers for redundancy would come forward so as to avoid the need for any compulsory redundancies on 31 March 1996. But if that were not the case, some redundancy notices may need to be served before reorganisation. If such notices had not expired by 31 March 1996, it would be possible to transfer the staff concerned to serve out their notice in a new authority.

Perhaps this is the point at which to emphasise that clause 53(4) provides for new authorities to take over the contractual responsibilities of the old authorities. The arrangements that I have described would maximise certainty for staff at the earliest possible stage in each case, and would ensure that the vast majority of staff from counties and districts transferred to the new authorities receive equal treatment.

5.30 pm

The Opposition amendments would do none of those things. Apart from the staff who have the right to transfer under the Transfer of Undertakings (Protection of Employment) Regulations 1981, there would be no means to transfer staff from the old authorities to the new. The transfer orders in clause 42 would set out clearly to which authority an individual had been transferred, and I think that that answers the point raised by the hon. Member for Neath (Mr. Hain). The amendments would leave industrial tribunals as the only means of securing certainty in cases of doubt, and of course I cannot commend them to the House.

I want to deal with the Government amendments.

Mr. Morgan: The Minister is quite correct in saying that the emphasis of new clause 12 is on the preserved or acquired right to be able to take a case of unfair or constructive dismissal to an industrial tribunal. Is he then commending the Government's legislation? Is he also guaranteeing that there will be continued rights to sue in an industrial tribunal, regardless of whether one is suing an old or a new authority? Would that be correct even if the case eventually only gets to an industrial tribunal after 1 April 1996, when there will be no old authorities, even if it is one of those which is being sued?

Sir Wyn Roberts: I will come to precisely that point as I deal with Government amendments Nos. 62 to 64.

Mr. Rowlands *rose—*

Sir Wyn Roberts: I am just going to refer to the point made by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). The hon. Gentleman, referring to clause 44, said that it shall be assumed that a person was dismissed "by reason of redundancy" and that his dismissal was proposed by the authority. Those words bring with them the requirement to consult representatives of staff, to give notice and so on.

[Sir Wyn Roberts]

In that case, we are talking about people who are not transferred by order and who are in the employment of existing authorities. I shall have more to say about the points made by the hon. Member for Merthyr Tydfil and Rhymney in a few moments.

Government amendments Nos. 62 to 65 give effect to the undertaking which my right hon. Friend made to the House on Second Reading to reassure staff that they will have full rights under employment protection legislation, including rights to consultation with representatives of staff and trade unions about prospective redundancies and notice of redundancy.

Mr. Morgan *rose—*

Sir Wyn Roberts: I am dealing with this set of amendments so the House can understand their full scope. Clause 44 applies only to staff who lose their jobs at the point of reorganisation. We hope to secure the necessary reductions in staffing levels by voluntary redundancies, so it would be possible to avoid compulsory redundancies on 31 March. It is not possible to give an assurance on that point.

Government amendment No. 62 was somehow misunderstood by the hon. Member for Merthyr Tydfil and Rhymney. It mentions the relevant employment protection provisions of the Employment Protection (Consolidation) Act 1978 and the Trade Union and Labour Relations (Consolidation) Act 1992. These are concerned primarily with redundancies, which is precisely the situation dealt with by clause 44.

I think that the hon. Gentleman is confusing matters with the right of transfer which staff might have under the TUPE regulations. Such staff are implicitly recognised in the wording of subsection (1A)(b) of the amendment, which states that

> "a contract of employment is transferred—(i) to a new principal council, if it is treated by any provision made by this Act, or by or under any other enactment, as continued in force with that council".

In other words, staff transferred under TUPE will not be covered by clause 44 because they will be transferred. The provisions of the Bill cannot override the requirement of European legislation, such as the TUPE regulations, which implement the acquired rights directive.

Mr. Rowlands: I feel out of my depth and I am willing to accept the ministerial word on the matter. Is it the ministerial word that nothing in the amendment undermines the rights of staff under TUPE in the event of reorganisation? I would appreciate it if the Minister could give that categoric assurance.

Sir Wyn Roberts: TUPE can apply, but it depends on the circumstances of the individual case and I am happy to reaffirm that now. There is no attempt to undermine that directive in any sense.

Mr. Morgan *rose—*

Sir Wyn Roberts: Government amendment No. 66 plugs a gap which we have identified in clause 45.

Mr. Morgan: One matter needs to be cleared up. If I understood correctly what the Minister said before the intervention by my hon. Friend the Member for Merthyr Tydfil and Rhymney, he was referring to the emphasis which the Government were placing on facilitating the transfer of staff with all their acquired rights under TUPE from the old authorities to the new. He said that this was in the form of a guarantee that the staff will be transferred. The problem is that people can lose rights while they are being transferred. For instance, they may find that they were moving from full-time to part-time work, which would normally give them the right to compensation for detriment. That could take place under TUPE or under old-fashioned UK employment law.

The right hon. Gentleman has not mentioned not only the right to sue for compensation and to be entitled to a redundancy package because a person has lost his job, but the substantial deterioration in terms and conditions, such as a loss of hours. Is he covering that point of detriment as well?

Sir Wyn Roberts: I have covered the transfer of staff from one authority to another. I shall again remind the hon. Gentleman of clause 53(4), which states:

> "Anything done by or in relation to an old authority before 1st April 1996 . . . shall . . . have effect as if done by or in relation to the successor authority."

In other words, the liabilities of old authorities transfer under clause 54 to the appropriate new authorities. Clause 44(2) already recognises that such liabilities will be transferred to new authorities. There will not, therefore, be the change which the hon. Gentleman anticipates. If a change resulting in detriment to an individual occurs, the new authority will be as responsible as the old authority might have been.

Mr. Morgan: I am finding some comfort in what the Minister is saying, except for one point—he is overselling the matter to the House. Is he implying that clause 44, as amended by Government amendment No. 62, confers rights to transfer, without loss of acquired rights under employment law? We understand that it is neutral on that point, permitting that to occur without debarring it. It does not confer it as a matter of right. The Minister is leaving the clause in a form whereby staff would have to find out how the right to transfer without losing their acquired rights will be enforced. The right is not conferred by clauses 42 to 45, which pertain to the transfer of staff from the old authorities. It would be misleading to the House and the 140,000 staff who could, in theory, be affected if he tried to imply that he is conferring something on them when, in reality, he is permitting, in a neutral manner, another form of regulation, which will have to come back to the House in another form, to confer that right. Is not the clause simply neutral on that point?

Sir Wyn Roberts: The hon. Gentleman is leading us down the wrong garden path. He forgets that all the other employment legislation, for example on redundancies and transfers, comes into play. The clause relates only to local government reorganisation in Wales and the specific transfers of staff that will be needed between authorities. The hon. Gentleman should remember that other employment legislation is still effective.

Government amendment No. 66 plugs a gap which we have identified in clause 45. For example, an individual on a fixed-term contract with an old authority could have already secured a job by competition in one of the new authorities, yet could have claimed damages for loss of office under his existing contract. The House will agree that that would not be an appropriate use of public funds.

Amendments Nos. 12 and 13 are unnecessary.

Mr. Morgan: Before the Minister leaves Government amendment No. 66, may I ask him when he expects to be able to produce the regulations? What areas are they intended to cover? What is the expected timing for producing the regulations, which appear to qualify the right conferred by the rest of the clause? Can he produce fairly soon a list of the headings which those regulations will cover, as it may take a year or so before the Minister produces the regulations themselves? It is a bare-bones explanation simply to say that those regulations will exclude the effect of the clause without saying how soon we may know the range of subjects to be covered under those headings? Can the Minister give us some information on that front?

Sir Wyn Roberts: I do not think that I can give information on the timing of the regulations at this stage. Obviously, they flow from the passage of the Bill and the events that will follow, with which the hon. Gentleman is, by now, as familiar—if not more so—than I am.

Mr. Rowlands *rose—*

Mr. Llwyd *rose—*

5.45 pm

Sir Wyn Roberts: I assure the House that anyone who is entitled to a redundancy payment as a result of the reorganisation should receive it. I appreciate the fact that some of the amendments have been probing, but I believe that the provisions in the Government amendments are far superior— *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. I want no sub-committees here, please.

Sir Wyn Roberts: The Government amendments are far superior to the amendments put forward by the Opposition, and I ask my right hon. and hon. Friends to reject the Opposition amendments and accept the Government amendments.

Mr. Morgan: The Minister of State began by saying that he hoped that the clause would be based on the principle of volunteers for redundancy, which would solve most of the problems. The heartfelt way in which he said it may have been based on the fact that he has volunteered for redundancy from his office. This may be his last evening at the Dispatch Box, as reshuffles gather pace.

Sir Wyn Roberts: The hon. Gentleman should not concern himself with my future as much as that of the hon. Member for Caerphilly (Mr. Davies), who has nominated the hon. Member for Kingston upon Hull, East (Mr. Prescott), but will back the hon. Member for Sedgefield (Mr. Blair). What on earth has the right hon. Member for Derby, South (Mrs. Beckett) done to him?

Madam Deputy Speaker: Order. I hope that that will be regarded as a rhetorical question. It has nothing to do with the subject under consideration.

Mr. Morgan: I am extremely pleased to have your diktat on that, Madam Deputy Speaker, and I shall not cross swords with you.

Later this evening, we shall be in a position to wish the Minister of State well in his retirement and return to angling, wangling and poetry.

Mr. Llwyd: Before the hon. Gentleman says farewell to the Minister, does he share my concern that, of the five specific, extremely important points that I put to him at the beginning of the debate, not one has been answered? Does he agree that that is unacceptable and that something deceitful may be going on? Why are not we entitled to a reply?

Mr. Morgan: That is the problem we are experiencing. These are complex matters. They are almost arcane when we try to put them into debating points, but they are life-and-death matters to the 140,000 people who work in local government. We are trying to bring the matter to life in the House as it will undoubtedly be brought home to the staff directly affected by it. That is why those of us who, unlike the Minister of State, intend to continue to represent Welsh communities where local government is an important source of employment are disappointed. I wish to take nothing away from the Minister's popularity in the House, which will doubtless be greatly enhanced by the identity of his successor once it is known.

Mr. Rowlands: Will my hon. Friend try to extract from the Minister answers to two questions regarding the position of direct labour organisations and direct service organisations? I put specific questions which, unfortunately, perhaps due to an oversight on his part, the Minister did not answer. That was why I wanted to intervene.

Mr. Morgan: He is the Minister for oversight in the Welsh Office, so I am not sure whether I can persuade him to rise to the Dispatch Box once again to discuss DLOs and DSOs. Many of those 140,000 people are in DLOs and DSOs and their position is exceptional. Given the Minister's absence of comment on that issue in answer to specific questions, I am none the wiser on how DLOs' and DSOs' continued acquired rights will be covered. We do not want the Minister of State's successor to be hauled before the European Court for sins of omission because the Minister has failed to clarify the matter or give an undertaking that, by the time the Bill returns to the other place, it will be cleared up.

After all—I return briefly to my opening remarks—this is a displaced debate. This is the debate that we should have had in Committee a month ago. The debate that may take place in 10 days' time in the other place should have taken place tonight on Report, with us having had the two bites at the cherry which issues that are so complex and of such life and death importance to the bread and butter earnings of the 140,000 staff in local government in Wales deserve. Those staff should have the benefit of the two bites at the cherry. They will want to know what is said. Ministers also need to be able to take on board the comments that are made tonight.

If the Minister is stumped on the issue of the DSOs and DLOs, that is fair enough. We expect him to be stumped from time to time, as all Ministers are—and he no less and no more than other Ministers. If the debate had taken place in Committee, no doubt the matter would have been clarified by the time that it came to Report. However, on Report, the Minister may be stumped and when the Bill goes to the other place it will be the last opportunity for any clarification. Instead of there being a month between Committee and Report stages, we shall probably have only a week and a half before the Bill is finally dealt with in the other place.

[Mr. Morgan]

We have to meet our constituents in our surgeries or deputations of local government officers. They have every right to expect answers from us. They will say, "We vote for you; damn well find out from those people in Westminster." The chances of our finding out the answers to their questions have been much reduced by the way in which the debate, which should have taken a place a month ago in Committee, has had to take place tonight. It is a thoroughly unsatisfactory state of affairs.

We still do not know to what extent the TUPE regulations will be incorporated and I do not think that we are any the wiser as to whether the Government have made any attempt to take on board last week's European Court of Justice ruling. Has that been incorporated into Government amendment No. 62, or is that a matter that they will now study, going back to the Office of Parliamentary Counsel—who no doubt will be extremely pleased to see them—and saying, "By the time the Bill goes to the other place, we must ensure that this amendment, covering these redundancies and transfer rights, will be incorporated", and further amendments will be made in the Bill's final stages in 10 days' time? That is not satisfactory.

If the Minister will not say anything about DLOs and DSOs or any of the other matters mentioned by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), I must say that there is no doubt that the interference by the Department of the Environment—and perhaps also the Treasury—in that issue has been exceedingly unhelpful. The Secretary of State admitted earlier—something that he obviously did not know when he made his promise at the Dispatch Box on Second Reading—that the Department of the Environment and the Treasury would interfere. He did not know it at the time he made his promise; otherwise, he probably would not have made that promise. He then found out that the Department of the Environment and the Treasury are the big boys in this issue and that he is only the tea boy, and that, unfortunately, he was prevented from doing something that he thought that he had the freedom to do when he promised that this matter would be clarified and sorted out in amendments that would be proposed in Committee in May. Unfortunately, he was prevented from doing that and now the Department of the Environment conditions in England, which are entirely different, will apply.

Wales is a far more rural area than England. People who are displaced in local government in the constituency of the hon. Member for Meirionnydd Nant Conwy or of the hon. and learned Member for Montgomery (Mr. Carlile) cannot obtain other jobs without moving house. That will not be the case in a more urbanised area such as England.

At all times in England there will be a continual flow of different stages of reorganisation, which will not be the case in Wales. We are having the big bang in Wales. It will create an enormous amount of simultaneous confusion and changes in the supply and demand of local government staff, which is not a matter about which the Department of the Environment has to worry. As a result, I have to tell my colleagues that I intend to divide the House on that issue.

Question put, That the clause be read a Second time:—

The House divided: Ayes 76, Noes 160.

Division No. 262] **[5.53**

AYES

Ainger, Nick
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Betts, Clive
Brown, N. *(N'c'tle upon Tyne E)*
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Corbett, Robin
Cousins, Jim
Dalyell, Tam
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Dixon, Don
Dowd, Jim
Eagle, Ms Angela
Etherington, Bill
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galloway, George
Garrett, John
Grant, Bernie *(Tottenham)*
Hain, Peter
Hanson, David
Harvey, Nick
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Lewis, Terry
Lynne, Ms Liz
McCartney, Ian
Mackinlay, Andrew
Madden, Max
Mahon, Alice
Marlew, Eric
Michael, Alun
Michie, Mrs Ray *(Argyll Bute)*
Morgan, Rhodri
Mullin, Chris
Murphy, Paul
O'Brien, Michael *(N W'kshire)*
O'Hara, Edward
Olner, William
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Raynsford, Nick
Rendel, David
Rowlands, Ted
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Taylor, Mrs Ann *(Dewsbury)*
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Elfyn Llwyd.

NOES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Blackburn, Dr John G.
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Burt, Alistair
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliff)*
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Davies, Quentin *(Stamford)*
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evennett, David
Faber, David
Fabricant, Michael
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hampson, Dr Keith
Harris, David
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Heseltine, Rt Hon Michael

Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, Sir James
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Montgomery, Sir Fergus
Moss, Malcolm
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Shaw, David *(Dover)*
Sims, Roger
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Sproat, Iain
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D. *(Strgfd)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Twinn, Dr Ian
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Andrew MacKay.

Question accordingly negatived.

New clause 17

GUIDANCE FOR PLANNING

'After section 29 of the planning Act insert—

"29A.—(1) This section shall apply only to Wales.

(2) The Secretary of State shall, after consultation with the Local Planning Authorities concerned, by order designate areas in respect of which the Local Planning Authorities, as and when directed by the Secretary of State, are jointly to prepare guidance for the planning of land-use, transport, economic development and the environment, within those areas.

(3) The timescale for the preparation of such guidance shall be prescribed by the Secretary of State.".' — *[Mr. Morgan.]*

Brought up, and read the First time.

Mr. Morgan: I beg to move, That the clause be read a Second time.

The new clause relates to the absence of any guarantees in the Bill for the provision of what might be described as strategic planning, including any equivalent to the powers which we expect to be included in the English local government measure and which have already been included in the Scottish one.

The planning subjects that we want the Secretary of State to instruct the incoming unitary authorities to cover jointly are land use, transportation, economic development and the environment. We understand that the new clause meets with the approval of various lobbying bodies with a specialist interest in planning issues, in both rural and urban Wales. The Council for the Protection of Rural Wales is broadly in favour of its thrust because it understands the problems that might arise if we sub-divide the planning of all sorts of issues—including wind farms, which happen to be the burning issue of the moment in rural Wales.

There are many other issues, including the way in which rural Wales—previously a Cinderella area but now rapidly expanding—handles the subject of land use and the change in the environment. Land consisting virtually entirely of national park or areas of outstanding natural beauty is also extremely attractive to the new society into which we are moving, in which people's choice of housing is not necessarily determined by economic activity. Many people now retire at 50 or decide to go for the good life by leaving London and their careers because they think that their children would be better off brought up in a country environment. Those sorts of conflicts need to be resolved.

In urban Wales there is a desperate desire to resolve the question of where the major employment sites will be. A site may be in one unitary authority area, but it may primarily serve a labour market in an adjoining area. Such issues could be more easily resolved if there were a grouping of special subjects involving two, three or more unitary authorities. That would be for the Secretary of State of the day to decide, in consultation with the unitary authorities. They would then have instructions from the Secretary of State to prepare strategic plans on this, that or the other issue, such as the four listed in the new clause —land use, transportation, economic development and the environment.

The Secretary of State will know that this is in no sense an attempt to reconstruct the counties in some sort of shadowy form over the next 20 years. It is very much in the spirit of the provision in the Scottish local government plans for covering strategic planning against the background of the sub-division of Scotland into smaller, single-tier, most-purpose authorities.

We are going through the same process in Wales, but there is a major difference between Wales and Scotland, and the Secretary of State has never justified it. Why is it that his counterpart in Scotland thinks that there is a continuing need for strategic planning to be carried out in agreement between himself and the Scottish local authorities? We are looking for something similar in Wales. We have tabled new clause 17 in that spirit and I commend it to the House.

Mr. Gareth Wardell (Gower): I am grateful for the opportunity to say a few words in support of the new clause and, in particular, of the part concerned with preparing guidance for the planning of land use.

The Select Committee on Welsh Affairs conducted a detailed study of rural housing in Wales and considered the extent to which existing local authorities were or were not complying with existing local and structural plans.

One of the great problems arises from the fact that the Government have decided to ensure that all district councils prepare new local plans—a process that is now well on course. I am delighted that, at last, after many years, the Government have insisted that those new development plans are drawn up. The great difficulty is that now new plans have to be drawn up by the new unitary authorities, so at the very time when local authorities

[Mr. Gareth Wardell]

which have in the past resisted drawing up local plans are busy doing exactly that, the Government have introduced a Bill which will mean that they will have to draw up, on the basis of new boundaries, entirely different plans consisting of two parts—one a strategic plan and the other setting out the details of what is intended for public consultation.

The difficulty that that poses for the Welsh Office and for the Government is very clear: to what extent will they intervene in the internal affairs of a local authority when that local authority plainly does not follow Government guidelines?

When we examined the situation in rural Wales, we came across a few district councils that regarded Welsh Office interference in their affairs as extremely unwelcome and considered that the policy planning guidelines were not there to be acceded to. We questioned officials from the Welsh Office on this matter, particularly in relation to Dinefwr borough council. An answer given by Mr. Gregory in his evidence to the Select Committee on 16 June 1993 was extremely helpful in pointing out the Government's position when the draft plan is being prepared by the local authority—and, in view of the Government's proposals, the new unitary authorities.

I am anxious to explore with the Minister the question that arises from Mr. Gregory's sentence. I realise that that gentleman has moved on to greener pastures and I congratulate him on his move to the Department of Health. At column 195 of the Select Committee report, he said in relation to the way in which draft local plans are being drawn up by district councils:

> "Our practice is to ask the authority to explain why it is appropriate in these circumstances, since it does not appear to be, and if the authority cannot explain it, and where personal canvassing is the only reason, it is very difficult for them to do so, then either the authority changes the boundary or we enforce a change.".

6.15 pm

What interests me in relation to the Government's proposal is that, when the chief planning officer for the borough of Dinefwr gave evidence in his letter of 6 July 1993, he identified 14 villages within that borough where the local planning committee had decided to overrule the officers' recommendations regarding significant parcels of land that would now be included in the draft local plan for housing development.

Mr. Gregory said that, if the authority continued to proceed in a certain direction, the Welsh Office could be entitled to or could decide to enforce a change. I am interested in the relationship between the new unitary authorities with a new plan and the power of the Welsh Office to enforce that change.

If the local unitary authority is to have the power to determine planning applications with no reference to the county structure plan, will the Welsh Office increase its intervention and its scrutiny of planning in Wales to ensure a consistency across the Principality that plainly did not exist in recent times, as the Select Committee inquiry demonstrated?

The new clause represents an attempt to set up a system which replaces the council city structure plan—which will not exist because the counties will not exist—with a system of checks and balances to ensure some consistency across wider parts of Wales rather than simply within the local authority area.

A fundamental unfairness exists whereby some individuals can get planning permission within a local authority area, entirely against both the local plan and the structural plan, whereas other individuals are unable to get such permission. The clause seeks to address that fundamental issue by trying to establish a system that would help the Welsh Office to avoid the additional burden that any Government Department would attempt to avoid. The clause attempts to ensure that there is fairness within Wales—fairness which, as the Minister knows, did not exist in 1991 when the Select Committee considered the subject in detail.

Is the Minister confident that, under the proposed changes, all the new unitary authorities will have deposited both parts of the new plan by the end of 1996— I refer not to the plans that they have been drawing up but to the new plans—so that there will be some consistency? Secondly, to what extent may we be sure that the Welsh Office will no longer need to watch carefully what each unitary authority is doing in planning terms because checks will exist within them?

It is over-optimistic of the Welsh Office to assume that, if the new clause is rejected, sufficient powers will not only exist but will be used by the Welsh Office to ensure consistency throughout the Principality. We need a replacement for the county structure plan. To rely on the new plans drawn up by district councils without a county structure plan to ensure a fair system throughout Wales will be to create a major problem.

Let me use the analogy of voluntary arrangements among Welsh district councils with regard to waste disposal. The Minister and I spent many happy hours in the Select Committee considering that vexed issue, which took us into consideration of leachate, methane gas and other environmental problems. We also spent many happy hours investigating those problems in situ in different parts of the Principality.

In that instance, there was tremendous inconsistency in the regulation of waste disposal as between district councils. Finally, voluntary agreement was reached between three sets of Welsh district councils, to try to establish a degree of consistency. The difficulties were legendary. I will not describe all 286 landfill sites in Wales that existed in 1987. The majority of district councils were superb in the way that they performed their duties. But some were not. When the voluntary groups existed, certain district councils within them were reluctant to accept from an officer financed by them all instructions as to the action that they should take. I visited some landfill sites and saw leachate entering neighbouring streams; the prosecuting authorities took companies to court and those firms were fined for endangering the life forms in rivers polluted by leachate from tips.

Plainly, the voluntary system did not work. That point applies equally to the provision before us. The Welsh Office needs to play a far more proactive role in carefully examining draft local plans and to use its powers to direct local authorities not to permit development outside village boundaries contrary to planning guidelines.

I cite the example of policy planning guidance note 7 and annexe E, in respect of bungalows and other homes for retirement farmers in Wales. At present, the Select

Committee is devising a questionnaire that will be sent to every Welsh district council asking for details of contraventions of that planning guidance.

We already know that since January 1992, in Montgomery district council, three retired farmers have had new homes built on land that they owned. Will the Welsh Office force those farmers to demolish those properties because they are in direct contravention of the Welsh Office PPG? If so—and I appreciate that Montgomery might not survive—the new clause may not be necessary. If it is the Secretary of State's purpose, after the Bill receives Royal Assent, quickly to move in, enforce his powers and direct those few miscreants in Wales to demolish their properties, new clause 17 may be unnecessary. If, however, the Secretary of State allows his PPGs to be flouted as they occasionally are in different areas, the new clause will be necessary to protect people from renegade local planning committee members who give permission as a result of personal considerations being uppermost in their minds.

I can do no better than to refer again to the clear message given in many of the local government commissioners' reports—that although only a small percentage of Welsh district councils are guilty of that practice, their actions bring the whole planning system into disrepute. The commissioners' 1991-92 report stated:

> "One council granted consent for some 48 per cent. of those applications, which were significant departures from the council's own approved policy."

One report on a complaint against the council in question observed:

> "Such a situation can only reflect adversely on the council's credibility as a planning authority."

The Minister has kindly addressed that issue, and I am sure that he will do so again. However, it is vital that the Welsh Office takes a far more interactive and active role in ensuring that planning policy guidance is followed consistently across Wales, so that when draft local plans are drawn up they are closely scrutinised and development approval for a local planning authority member's land contrary to the recommendations of the local authority's own officers will not be tolerated.

The balance between local democracy and central Government is critical. I hope that the Government will either use their powers to ensure consistency or put in place a system to replace the county structure plan as a check, if it happens that the local development plan that the Bill proposes is ineffective. If the new clause is accepted, the Welsh Office will be let off the hook and local democracy will be able to remain paramount. But I am sure, as the Minister is aware, that the people of Wales are not happy with the situation whereby certain councils have been able to give planning permissions without close reference to the law, the statutes and policy planning guidelines. It gives me great pleasure to support the new clause.

6.30 pm

Mr. Llwyd: I speak as a member of the Select Committee on Welsh Affairs. It has been a somewhat sobering experience over the past few months to undertake the research and investigation to which the hon. Member for Gower (Mr. Wardell) referred. There were quite shocking instances of breaches of planning regulations, which, apparently, were dealt with in a very unsatisfactory manner, and with no regard whatever for normal planning guidelines.

I moved a not dissimilar amendment in Committee, which was supported by the Campaign for the Protection of Rural Wales and other Welsh bodies that are actively involved in planning issues in Wales. The core point is that we must have some strategic view of planning in Wales, otherwise we could end up with 21, 22 or 23 different unitary development plans and a very queer patchwork throughout Wales. Another obvious point arising from the new clause is that environmental issues cross development boundaries, and are vitally important; they do not adhere to a particular boundary.

The new clause is highly necessary. Those who are far more proficient than I am in planning matters feel strongly about it. They feel that the current safeguards in the Bill are not appropriate or strong enough and that we might well be left in a very haphazard position were the scenario referred to by the hon. Member for Gower to come about. I sincerely hope that the Government will give further thought to that important issue.

Will the Minister give me an assurance regarding the amendment that I tabled in Committee about the role of community councils? Since tabling that amendment, I have received upwards of 170 responses from community and town councils in Wales, all of them, bar two, supporting it. The Minister may recall that I said that there should be better consultation with community councils and that, if a community or town council wants to meet planning officers, that meeting should take place before any decision is made. I recall the Minister's words. He told me that either a similar amendment would be tabled on Report—which is today—or those words would be incorporated in guidelines issued to the new unitary authorities in their consultation process with the community councils. I trust that the Minister can give me some assurance on that. I fully support the purport of new clause 17.

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): I thank the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) for his concise and thoughtful speech. I well recall the much longer debates that we had on the subject in Committee, and his speeches then. I want to give him the assurance that he seeks about the relationship between the new local planning authorities and community councils. I am confident that the arrangements that we have in mind, particularly the guidelines that we intend to issue, will produce exactly the right form of consultations, and that we will see a better arrangement to ensure that the important views of community councils can be heard by the local planning authorities.

I welcome the interest of the hon. Member for Gower (Mr. Wardell), who is Chairman of the Welsh Affairs Select Committee. His Committee's inquiries into planning have resulted in a useful working together for the Welsh Office, drawing on the work of the Select Committee. We are taking forward a process of monitoring departure applications, and I am sure that that is exactly the additional monitoring that the Committee wanted us to do. I am grateful for its assistance in that matter.

I am confident that the concept of unitary development plans will be a much better arrangement. It draws together the differences between what is now being done by the county councils and the district councils under one arrangement. I would say to the hon. Gentleman that I am

[Mr. Gwilym Jones]

confident that there will be timely progress in taking forward the unitary development plans, building on the work that has already been done by the existing councils.

Each local planning authority will be required to address strategic issues during the preparation and adoption of its unitary development plan. Policies related to the urban and rural economy, transport, planning, environment and conservation are among the topics that will be included in part 1 of the plan. Land use proposals will figure in part 2.

Under the provisions of the Town and Country Planning Act 1990, authorities will be required to consult adjoining authorities on strategic and other cross-boundary issues. Two or more neighbouring authorities may wish to prepare jointly their unitary development plans. That will be a matter for them. The quality of planning, however, will not be improved by mandatory groupings of authorities. Nor do I feel that they will be helped by having to issue guidance to themselves, because the new clause is very narrow, and the only object that would be achieved by that would be the preparation of joint guidance. Accordingly, I urge the House not to accept the new clause.

Mr. Morgan: That was a disappointing reply, but given the firmness with which it was delivered, it would be pointless to press the matter to a Division. Therefore, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

THE LOCAL GOVERNMENT AREAS

Mr. Morgan: I beg to move amendment No. 10, in page 1, line 18, leave out 'Parts I and II' and insert 'Part I'.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this, it will be convenient to discuss also the following amendments:

No. 11, in page 1, line 21, leave out from 'areas' to end of line 23 and insert

'shall be as set out in Part I of Schedule 4 and shall be counties, save that a county may become a county borough under the provisions of section 245A of this Act.'.

Government amendments Nos. 41 to 47.

No. 16, in schedule 1, page 52, line 5, leave out 'Part I' and insert 'Parts I and II'.

No. 17, in page 53, leave out lines 15 to 19.

Mr. Morgan: I am grateful to have the opportunity to move on to the question of the Government's persistence in their erroneous ways of attempting to divide the new world of unitary local government in Wales into two classes. The Government are, perhaps, wedded to two-tierism. We are a two-tier society. We have a two-tier health service and now we are to have two-tier local government in Wales—on the one hand through an attempt to rationalise Wales by having unitary local government and, on the other, the absurd attempt, which, in spite of all our attempts, so far has been resisted by the Government, to break up local government and make it class conscious almost before it comes into existence under the new unitary scheme.

As you, Mr. Deputy Speaker, will see, with reference to amendments Nos. 16 and 17, which come at the end of this group of amendments, the schedules on pages 52 to 55 of the Bill lay out the names of the new authorities as though they were two cricket teams to be played against each other—as though they were gentlemen and players or, in some way, a class A and class B of new local authorities.

There is no purpose to that at all. It is purely related to status, not to function. I should have thought that the whole spirit of the Bill would follow the principle that we are trying to persuade those new local authorities to think about their functions as being 100 per cent. of the job in front of them, not their status. To make local authorities status conscious from day one and to discriminate between two groups of local authorities so that they have different status is patently absurd and absolutely not what the Government should be doing. Any casual glance at parts I and II of the schedules makes that quite clear. That is why in amendments Nos. 16 and 17 we abolish the distinction between part I and part II. Amendments Nos. 10 and 11, which we are initially discussing, are the ways of bringing that into the text of the main part of the Bill.

Government amendments Nos. 41 to 47 are minor technical amendments, relating to the freedom of authorities to drop such words as "county" and "shire" from their titles. We need not spend much time on them; our time should be spent asking the Government yet again to reconsider the grouping of authorities into two classes.

A particularly absurd aspect of the proposals is the fact that, although class A is clearly meant to be more important than class B, authorities can ask to move from class A to class B—in other words, they can ask to downgrade themselves to the second division—but cannot do the reverse. Authorities currently listed in schedule 1 are, in effect, being told, "You are the important ones, but if you decide that you want a mayor"—or, in the case of the cities of Wales, Cardiff and Swansea, a lord mayor; that is their historic right—"you must move into the second division."

That is patently absurd. The fact that authorities should be placed on a pedestal and then asked to lower themselves from the first to the second division if they want the status involved in having a lord mayor beggars belief. It would be much simpler to recognise cities' historic rights—and those of county boroughs, which, being already in the second division, automatically have mayors. The fact that Cardiff and Swansea are being required to ask the Secretary of State's permission to move into part II and, as it were, downgrade themselves because of the discriminatory nature of the legislation makes me wonder what the Government thought that they were doing in dividing the schedule into two parts, listing about 22 areas.

The Government should try to simplify and rationalise the Bill. The Secretary of State should employ the intellectual incisiveness for which he was famed as a university student. He should consider whether the Bill would be neater if it concentrated more on the functions of local government and less on the difference between the first and second divisions.

It would be better to create a single class of unitary authorities. The cities could then have their lord mayors, areas whose historical or geographical orientation makes them counties could have their chairmen and chairwomen, and historic boroughs could have their mayors: no authority would have to jump from one class to another.

It is not necessary to draw up two classes. All that is necessary is a schedule listing all the local authorities in

Wales, so that none is distinguished on the basis of status, but the title of each clearly implies whether it is an historic shire, an historic city or an historic borough.

The present "division 1" contains both present cities and present shires; it is not as though different types of authority area are being described. Division 1 contains shires and cities, while division 2 contains boroughs. If a city wants a lord mayor, however, it must jump from the county list to the borough list. That underlines the absurdity of the Government's obsession with creating two classes. They originate from a class-ridden society, and they are now creating another.

The list of local authority titles should be simple and rational. There is absolutely no purpose in dividing the schedule into two parts, comprising two apparently counterposed lists of local authorities which will be set aside from day one as though they differed in status—as opposed to powers. We do not want status-conscious local authorities; we want function-conscious authorities, anxious to do a job and orientated towards providing services for their citizens. The schedule starts the Bill off on the wrong foot, and will have the same effect on local authorities. I hope that the Government will reconsider.

6.45 pm

Mr. Hain: I wish to press the Parliamentary Under-Secretary of State on a specific issue—the title of the new Neath and Port Talbot unitary authority. That title excludes a significant part of the new authority: upper Lliw, the upper Swansea valley and the lower Amman valley.

Schedule 15 states:

> "The name of a Welsh principal area shall not be changed under this section before 1st October 1996 except with the consent of the Secretary of State."

Let us suppose that, having been elected—even with "shadow" status—a new unitary authority decides that, in order better to reflect its composition, it wishes to change its name. I see the Secretary of State nodding appreciatively: that is an unusual experience for me, and it may harm his reputation, but I hope that he will consider this matter sympathetically. Such action would be well received, and would provide certain reassurances. The right hon. Gentleman nods again; this is becoming dangerously repetitive.

As the Minister will appreciate, there is a proud tradition in the upper Swansea valley—which contains such towns as Ystalyfera, Pontardawe and Cwmllynfell —and the lower Amman valley, which contains Gwaun-Cae-Gurwen. Those towns—and even the little village of Rhiwfawr—do not feel that they can easily be associated with Port Talbot; they have a certain association with Neath because they are in the Neath constituency.

I realise that playing around with names on the Floor of the House of Commons could be seen as a dangerous pursuit for a sitting Member of Parliament; playing around with boundaries is dangerous enough, but playing around with names may be even more hazardous. I do not seek to impose any alternative name on the new authority—that is a matter for the new members—but the Bill contains an unsatisfactory element, in that it excludes a sizeable slice of the new authority which has an important tradition and identity and proud local communities.

Suggestions have been made, and I pass them on without prejudice in any direction. "New Glamorgan" has been suggested; some have even suggested "the Neath Valleys"—a certain territorialism may be involved there. I do not think that Port Talbot would be terribly impressed. There is, however, a serious problem: the title of the new authority must give it an identity that is known to the outside world.

I understand why the Secretary of State may have gone for this option. At least Neath and Port Talbot are two relatively well-known names in Wales—Neath is, anyway —in terms of rugby and politics. That gives the area an identity: investors and visitors know where it is. I can see the logic. A more anodyne name such as "New Glamorgan" might run the contrary risk of making the area relatively anonymous.

I understand the difficulties involved, but I hope that the Secretary of State will give sympathetic consideration to any request not just from the fully constituted operational authority but from the shadow authority to set itself up on an entirely fresh basis, taking into account the important local feelings of pride and identity that exist in the upper Lliw valley. Certainly, the way in which the right hon. Gentleman has nodded vigorously at me suggests that he will do so.

Mr. Paul Flynn (Newport, West): The nomenclature of the areas presents a special problem for my constituency. Although Newport is generally happy with the Bill's provisions, it faces a unique problem: there are Newports in Wales and throughout the world, as a result of which much confusion has arisen. A couple of months ago, I received a letter from the Under-Secretary of State for Social Security, in which he stated that he would visit an agricultural college in my constituency. I wrote back to say that I would be to happy to meet him and search for it and that, if we could not find it, he could meet the local Child Support Agency action group so that his trip would not be entirely wasted.

Newports are constantly confused. To establish the identity of the area, it should be given another name. For most of this century, the area was called Newport Monmouthshire. Since 1974, it has been known as Newport Gwent, which has become the established name. We are told by the Post Office, however, that once the Bill is enacted, we shall have to start calling it Newport, Newport, to which some objections have been made.

We commonly refer to our neighbour, the city of Cardiff, as "Newport, far west", which might be a suitable title if it is considering changing its name.

The problem, which dates back through the history of Newport, is what to call ourselves. There is only one Casnewydd in Wales: Casnewyyd Ar Wysg is the Welsh version of Newport. The River Usk flows through the town. Usk means water and is found in the word "Eskdale". One popular suggestion is that the town should change its name to Newport on Usk, which has a certain attraction and might be popular.

Our status is not accepted as permanent. Newport has long aspired to becoming a city. Newport County, a football team of great renown, is sadly no longer with us. Perhaps we could call ourselves Newport City and wait for the Queen or whoever is in charge of such matters to vest city status on Newport. The name of Newport presents special problems which no other areas experience.

Newport has an enormously important and unique history in Wales. Certain parts of it are booming, despite the policies of the Government, in whom we are all beginning to lose faith, especially after the last couple of

[Mr. Paul Flynn]

days. Newport still has a great future and a rugged, robust personality and character. Those matters must be borne in mind.

Mr. Gwilym Jones: Amendments Nos. 41 to 47 respond to an amendment tabled in Committee by my hon. Friend the Member for Monmouth (Mr. Evans). After consideration, we have decided that it would be right to give the new councils a degree of flexibility to determine their official title. In addition to the titles of county council and county borough council, the amendment would create a third form of plain council. It does not alter the legal status of the new authorities—they will still be counties or county boroughs—but it will permit an authority to be known simply as a council, as in Monmouthshire council or Pembrokeshire council. I commend the Government amendments to the House.

I noted the concern of the hon. Member for Neath (Mr. Hain) about the title of the authority now designated as Neath and Port Talbot. He will recollect that in Committee we passed an amendment that shortened the period in which the new authorities would require my right hon. Friend's permission to change their title. I assure him that my right hon. Friend remains sympathetic to any application, even while the authority is in shadow form. We are prepared to consider whatever application is made.

I recognise Newport's aspirations to become a city. Speaking as a citizen of the capital city of Wales, I regard that as a fine aspiration. On the basic conundrum about the title of the authority for Newport, I can but leave that with the hon. Member for Newport, West (Mr. Flynn).

I assure the Opposition that there is no difference between county and county boroughs in terms of status, functions or responsibilities. The two designations were chosen because they are resonant of the traditional pre-1974 structures of local government, when county boroughs were unitary authorities and the administrative counties were responsible for almost all significant functions of local government in non-county borough areas. There is no reason, therefore, to pursue amendments Nos. 10, 11, 16 or 17.

Mr. Morgan: That answer was absurd. There was no difference before 1974. If one had two-tier local government, one had two-tier local government. The boroughs in the old county areas and the counties split functions between them. It is not valid to say that the counties were so predominant in their areas that they were almost all-purpose authorities—they were not. Anyone who was involved in borough government before 1974 knows that the counties and the boroughs split their functions. They were unlike county boroughs of Cardiff, Newport Swansea and Merthyr.

My hon. Friend the Member for Neath (Mr. Hain) made some valid points about the need to recognise the contribution that the upper Swansea valley has made to cultural life in Wales. I have strong family connections with that area, which has produced more Welsh rugby captains per head than any other part of Wales: I list only Claude Davey, R.H. Williams, Clem Thomas, Clive Rowlands and Gareth Edwards. The contribution of that area, therefore, should be recognised. I shall leave it to my hon. Friend and his constituents to work how that should be done. Perhaps a petition could be presented to Her Majesty, provision for which is included in clause 245.

If one comes from Cardiff, the issue involving Newport is a much trickier question. I have suggested that Cardiff may become known as the Latin quarter of Newport, although not in proceedings in the House. Cardiff is losing some of its industry, but, as my hon. Friend the Member for Newport, West (Mr. Flynn) said, Newport remains very much part of the world of work and industry—not something that I necessarily approve of.

The question of city status for Newport is affected by the problem that I referred to earlier. The schedule has been broken up into parts 1 and II. Inevitably, Newport will read the list. As the biggest and most historic town in division 2, it will naturally ask how it can be promoted to division 1. There is no provision to permit that. Cardiff and Swansea can apply to leave division 1 and go into division 2—they will have to if they are to have lord mayors. How will Newport get from division 2 into division 1? That is a great difficulty.

Newport has a great history, including something of a football history. In Frederick Raphael's "Glittering Prizes" the bright young things at Cambridge were asked whether they would prefer playing football to working for the BBC, Shell or BP. One said that he would have given up all the A-levels in the world to score a hat-trick for Newport County reserves. As Newport had been bottom of the Football League for five years running at the time, that was a mark of how they valued football above academic prestige, despite the glittering prizes of the Oxbridge world.

The problem would be solved by removing the distinction between part I and part II in the schedule. If the Government resist, I hope they will listen to the world of local government and will recognise that status in the new Wales does not count but function does. By the time the Bill goes to the other place, I hope that they will have thought again. In the circumstances, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 2

CONSTITUTION OF NEW PRINCIPAL COUNCILS IN WALES

Amendments made: No. 41, in page 2, line 45, after 'Council"' insert 'or the word "Council"'.

No. 42, in page 2, line 45, leave out 'Anglesey' and insert 'Cardiganshire'.

No. 43, in page 2, line 46, after 'Council"' insert 'or "Cardiganshire Council"'.

No. 44, in page 3, line 6, after 'Council"' insert 'or the word "Council"'.

No. 45, in page 3, line 7, after 'Council"' insert 'or "Caerphilly Council"'.

No. 46, in page 3, line 9, after 'Sirol"' insert 'or the word "Cyngor"'.

No. 47, in page 3, line 10, after 'Caerffili"' insert 'or "Cyngor Caerffili"'.—*[Mr. Gwilym Jones.]*

7 pm

Mr. Gwilym Jones: I beg to move amendment No. 48, in page 3, line 11, leave out 'Caerdydd and Abertawe' and insert 'Abertawe, Caerdydd and Powys'.

Mr. Deputy Speaker: With this it will be convenient to discuss also the following: Amendment No. 23, in schedule 1, page 52, leave out lines 11 and 12 and insert—

'Breconshire and Radnorshire Sir Brycheiniog and Sir Faesyfed	The districts of Brecknock and Radnorshire.'.

Government amendments Nos. 76 to 82.

Mr. Jones: We have listened carefully to the arguments for separate authorities for Breconshire, Montgomeryshire and Radnorshire. The Government remain strongly of the view that each of the three districts within Powys is too small to be a self-standing unitary authority with all that that entails in terms of taking responsibility for the full range of local government services.

Mr. Alex Carlile: The Under-Secretary of State said something interesting and important. If Montgomeryshire is too small to be a free-standing local authority, why are not Rutlandshire, Huntingdonshire and Clackmannanshire too small to be free-standing local authorities?

Mr. Jones: This is a matter for consideration by the House and I am giving the House our advice on the subject.

The Government are alive to the concerns of people in Montgomeryshire, Brecknock and Radnorshire who want to preserve the identities of the old counties. We believe that that can be achieved within the context of the proposals in the Bill. The provisions in clause 27 and the new clauses that the House has already considered will provide the shire committees which will allow a real measure of decentralisation of responsibility and accountability for local services to local representatives.

On amendments Nos. 77, 81 and 82, we have given further careful consideration to this matter. On balance we feel that the community of Llanelly has closer affinities with areas in the proposed new authority of Monmouthshire. Lines of communication, social, economic and cultural links between the community and places such as Abergavenny, Govilon and Llanfoist appear to be much stronger than with places such as Crickhowell in Powys. Our conclusion also takes account of representations such as the petition of 1,900 signatures presented to the House by my hon. Friend the Member for Monmouth (Mr. Evans) and the poll conducted by Blaenau Gwent borough council on 24 February, which showed that the Monmouthshire "option" was the most popular among electors in Llanelly. Accordingly, we propose that Llanelly hill should be within Monmouthshire.

Mr. Alex Carlile: What we have just heard is an insult to the House. If the Under-Secretary of State believed what he said, he would not have read it at such breakneck speed. There is an old horse racing expression to the effect that the jockey cannot come without the horse. What we heard was a horseless statement read by a tired jockey who did not believe in his capacity to finish the race, let alone to win it.

The Secretary of State reminded us yesterday of his speech at a Conservative party conference when he spoke of the identity that people felt with certain traditional communities. He helpfully reminded us of how he spoke in terms which meant that people could have their Rutlandshire and their Huntingdonshire—communities just like Montgomeryshire and Merionethshire, and just the sort of communities that we won back into the Bill in Committee.

I apprehend that if the Secretary of State, then the Minister responsible for local government, had been asked to include some Welsh communities in his speech at that time he would have added Montgomeryshire and Merionethshire and he would have done it without any compunction whatever.

Mr. Rowlands: His predecessor did.

Mr. Carlile: Yes. As the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) reminds me, the Secretary of State's predecessor did just that.

We have been over this ground before and I do not want to tread over rocky old ground again or repeat what has been said many times, so I shall not do so; it is all on the record. However, on behalf of my constituents I have to say that the paucity and threadbare nature of the Under-Secretary of State's answer to my intervention really gave the game away. For some hidden, obscure and politically motivated reason the Government have decided that Montgomeryshire and Merionethshire should no longer exist as local government areas. Having thus far represented Montgomeryshire for 11 years and a few days, it gives me great sadness to be here on the day when it has been decided that Montgomeryshire shall no longer have a council with a legal personality which can say, "We are the entity of Montgomeryshire." The last vestige of the old county of Montgomeryshire will be the continuation of the constituency of Montgomery in Parliament.The demise of Montgomeryshire as a council area was not wanted by the public and it will never be accepted by them. The Government must know that by forcing through this unwelcome change in local government boundaries and status they have failed to achieve the consensus that I am sure they hoped at the outset to achieve. It is inevitable that we shall return to local government reform in due course and give back to Montgomeryshire the council that it wants and deserves.

During the debates in Committee there was some welcome support from the hon. Members for Brecon and Radnor (Mr. Evans) and for Halesowen and Stourbridge (Mr. Hawksley). The hon. Member for Halesowen and Stourbridge, as we rehearsed in Committee, has a distinguished residential and business connection with Montgomeryshire. He fully understands that Montgomeryshire should be a county council in its own right. I suspect that he would recognise that there was an easy and straightforward option for the Government—to have a unitary Montgomeryshire and a unitary combined Brecon and Radnor. Although they may deny it now, I suspect that if the hon. Member for Brecon and Radnor had told Ministers at a much earlier stage that he would settle for a combined Brecon and Radnor, that is what we would have got.

I fear that at the bottom of all this are political considerations concerning the constituency of the hon. Member for Brecon and Radnor. I do not want to be unduly unfair to him—indeed, I believe that I shall be very fair to him. He acted courageously in opposing his party's Government and we know that as a result he had to take his toe off the lower rung of the ministerial ladder, although that may be only temporary. I informed the hon. Member for Brecon and Radnor that I intended to make these comments and I believe that they should be put on the record. I am convinced that at an early stage in the deliberations he made a serious error of judgment and he

[Mr. Carlile]

has become one of the authors of the destruction of Montgomeryshire as a local authority. I believe that his judgment was wrong in refusing to agree to a joint Brecon and Radnor unitary authority: in terms of jobs and accountability, it would have been far better for his constituency than the Powys pudding with which we are left.

As I have said, I believe that the Government would have agreed to the two-unit option for mid-Wales had the hon. Gentleman supported it. His actions in Committee, welcome as they were, may in the final analysis seem more like self-immolation than rebellion. I believe that his constituents in Radnor as well as in Breconshire would have understood a decision of the type that I require. I believe that in Radnorshire they would understand far better a situation in which they would have had a unitary authority combined with Breconshire than the situation that they are likely to face as a result, which is likely to be a Powys in which there will be shire committees for Montgomeryshire and Breconshire but not for Radnorshire. So we now face the situation that the hon. Member for Brecon and Radnor has brought on his own constituents of Radnorshire of having every decision made by committees with representatives from Breconshire and Montgomeryshire.

I believe that by Government amendment No. 54 the hon. Member for Brecon and Radnor has been doublecrossed by the Government. He believed that it would take only 10 councillors from Radnorshire to have a shire committee, but now it will be 15 unless we achieve the unlikely result of defeating the Government a little later on. As a result, part of his own constituency will be seriously disadvantaged. I am sorry that I had to put that on the record, because I respect the hon. Gentleman for the course that he took in Committee, but when people look back on our debates that is one of the judgments that will be made.

As I have said, it is a very sad occasion to see the burial tonight of Montgomeryshire as a local authority. Montgomeryshire has existed for centuries and is well understood both within and outside Wales as being a distinguished old county. It has produced great citizens and contributors to the national life of the country and further afield, ranging across all walks of life, such as Robert Jones, perhaps one of the greatest of all social reformers, as well as great lawyers, great public figures, great statesmen, and great teachers who almost invaded London from Montgomeryshire by tradition. The dairies of London were known to be run by people from Meirionnyddshire and Montgomeryshire.

Mr. Jon Owen Jones (Cardiff, Central): And Caernarfonshire.

Mr. Carlile: And Caernarfonshire. Montgomeryshire has been part of the national heritage but tonight, apparently, we are to see it go. I regret that, and I believe that many hon. Members in the House—even on the Government side—privately share my regret.

Mr. Jonathan Evans (Brecon and Radnor): I will deal first with the remarks of the hon. and learned Member for Montgomery (Mr. Carlile). Sadly, during the entire debate, the one thing that he has not recognised is that the claims of Radnorshire to independent unitary authority status are just as good as those of Montgomeryshire. I do not blame him for advancing the claim of Montgomeryshire above all else but, sadly, his remarks tonight have demonstrated that he has not appreciated that the cause of Radnorshire stands alongside the cause of Montgomeryshire and that Montgomeryshire is not to be preferred.

The hon. Member for Caerphilly (Mr. Davies), in his sorry contribution to our debate yesterday, expressed his certainty that I would find myself defeated on the part of Bill before us. He then tried to claim some narrow, party political advantage for himself from such a defeat. I begin by reminding the hon. Gentleman, who may not have understood this, that we are now debating the Government's proposals to overturn the decision of the Standing Committee on amendment No. 44, tabled by the hon. and learned Member for Montgomery and supported by the hon. Gentleman himself. He, on the Opposition Front Bench, signed that amendment. Accordingly, in his failure to mobilise the Labour party in support of the amendment, the hon. Gentleman is demonstrating a failure to support the very amendment that he proposed and the passing of which he managed to achieve in Committee.

It was not an insignificant event. The somewhat noisy hon. Member for Torfaen (Mr. Murphy)—I am sorry that he is leaving the Chamber—described it as the first Committee on which he had sat in which he had witnessed significant Government defeats. Another so far unnamed Labour Member reported to television Lobby journalists later that it had been the most exciting moment in all his time as a Member of the House. Yet today we have the sorry spectacle of the hon. Member for Caerphilly on the Opposition Front Bench aspiring to be the leader of political life in Wales but unable or unwilling to achieve the support of his colleagues to defend the success in Committee of which he boasted so much.

It is all so very different, I am sad to say, from the easy promises made by the hon. Member for Caerphilly in earlier debates. On Second Reading, he promised the hon. and learned Member for Montgomery:

> "I shall give the hon. Gentleman the opportunity to vote on whether Powys should continue as a unitary authority . . . I assure the hon. and learned Gentleman that it is my firm intention to support him."—*[Official Report*, 15 March 1994; Vol. 239, c. 759.]

We know that it was his firm intention to turn up, but that he was incapable of persuading the people whom he aspires to lead to be here to support him.

We heard so much yesterday about the hon. Gentleman's disappointment with my votes in Committee. His first response to me in Committee appeared as early as column 8, when he said:

> "The only thing that I want the hear from the hon. Gentleman is an 'Aye' when we vote on the creation of the county of Brecon."—*[Official Report, Standing Committee A*, 12 April 1994; c. 8.]

I might want to hear that sort of support from those who —supposedly—are behind the hon. Gentleman, but sadly he has been unable to bring them along today.

7.15 pm

Furthermore, just before the vote was taken in Committee the hon. Gentleman bravely stated:

> "I urge my hon. Friends to support the amendment"

and as an admonition to my hon. Friend the Member for Cardiff, North (Mr. Jones) he said:

> "and I urge the Under-Secretary to understand that if the amendment is accepted,"

as it was accepted,

> "it will not just be",

to use an expression which no doubt trips off the hon. Gentleman's tongue,

> "to pull a fast one on the Government or to cause inconvenience, but to reflect the fact that the Government have got it wrong."—[*Official Report, Standing Committee A*, 19 April 1994; c. 103.]

If the Government have indeed got it wrong, it is a sad event that the hon. Gentleman cannot produce his supporters to demonstrate that by defending the change that was made in Committee.

Even after the vote had been taken, the hon. Gentleman again was quite outspoken in Committee. He said:

> "I assure the hon. Member for Brecon and Radnor that . . . he will find Labour Members staunch allies in his cause"—[*Official Report, Standing Committee A*, 21 April 1994; c. 112.]

That is all very different from the remarks that we heard subsequently in the House yesterday from the hon. Member for Caerphilly.

Some have said that the hon. Gentleman has abandoned me. For my own part, I believe that the hon. Gentleman, who aspires to be a future Secretary of State for Wales, has abandoned the people of Montgomeryshire, Radnorshire and Breconshire. I asked the hon. Gentleman yesterday what he had said to the leaders of Montgomeryshire, Radnorshire—

Mr. Ron Davies (Caerphilly) *rose—*

Mr. Evans: I will give way in a moment. I asked the hon. Gentleman yesterday what he had said to the leaders of Montgomeryshire, Radnorshire and Breconshire when they met him yesterday to plead their cause. If the hon. Gentleman wishes to respond, I will give way.

Mr. Ron Davies: I shall certainly respond in a moment to the case that the hon. Gentleman is trying to construct. First, I should put it on the record that the votes of his party's Government and his colleagues on the Conservative Benches will bring about the defeat of the proposal for which he argued in Committee.

All that I and my hon. Friends have said stands. We are in favour of the creation of three unitary authorities in Montgomeryshire, Breconshire and Radnorshire. When the appropriate time comes, I shall recommend to my hon. Friends that that is the course of action that we should take and that is course of action that I shall take, consistent with all my previous statements.

Mr. Evans: If I may say so, the hon. Gentleman gave a rather different response to the leaders of Montgomeryshire, Radnorshire and Breconshire yesterday. He told them that he had achieved a major concession from the Secretary of State for Wales. They asked what was that prize and what was the price extracted by this tough negotiator, the hon. Member for Caerphilly. Rumours abounded yesterday that it may be an independent Cynon valley authority, or was it to be an independent Neath or Rhondda? No. The hon. Gentleman proudly gloated to those leaders over his achievement. He said that the Secretary of State had agreed to allow him a vote at 6 o'clock on his half-baked referendum amendment. That was it. The greatest achievement of the man who aspires to be the Secretary of State for Wales, negotiating and fighting for Wales in Europe and beyond, is to have a say in the timetabling of his own failures. Having landed on the beaches of Normandy, the leadership skills of the hon. Gentleman would have allowed him to crawl back into the sea with the kind agreement of the enemy.

Mr. Jon Owen Jones: On a point of order, Mr. Deputy Speaker. Is it in order for an hon. Member to speak at such length without mentioning any part of the amendment that we are attempting to debate?

Mr. Deputy Speaker: The hon. Gentleman was in order, and he is responsible for his own speech. If he had not been in order, the Chair would have said so.

Mr. Evans: I am grateful to you, Mr. Deputy Speaker. Clearly, my remarks are causing difficulties for Opposition Members. To round off my remarks about the conduct of the hon. Member for Caerphilly, I point out that he yesterday twice congratulated the Secretary of State on his birthday; with an opponent with the talents of the hon. Gentleman, the Secretary of State must believe that every day is his birthday.

Paragraph 1.6 of the Government's consultation paper issued in 1991 declared that

> "local authority boundaries should as far as possible reflect and strengthen existing community loyalties".

On the eve of the general election, in March 1992, the then Secretary of State for Wales said that he would

> "consult further on whether to extend that approach"—

of local government based on the traditional counties—

> "to separate authorities for Radnorshire and Brecknock."—[*Official Report*, 3 March 1992; Vol. 205, c. 171.]

My consistent response to that consultation has been to press the case for unitary authorities in my constituency based on the traditional shire counties.

By 1993 the Government had decided to propose a single Powys-wide unitary authority. However, even they recognised the immense practical difficulties of establishing such an authority without effective decentralisation measures. The Secretary of State has suggested that the powers short of full unitary status could be exercised by area committees which, it was proposed in earlier debates, could even be called county committees. However, the flaw in the Government's argument is that, without real financial accountability, area committees cannot deal with the need for local autonomy in the shire counties in mid-Wales.

As the hon. and learned Member for Montgomery said, Government amendment No. 54 will effectively ensure that Radnorshire will be unable to apply for any decentralisation scheme. By setting the trigger number of councillors at 15, the Secretary of State has virtually ensured that decisions in Radnorshire will be made by councillors drawn from Montgomeryshire, Breconshire and Radnorshire itself.

I do not charge my right hon. Friend the Secretary of State with the duplicity or the grubby pursuit of party political advantage shown by the hon. Member for Caerphilly. The Secretary of State has always supported a centralised Powys authority and he has maintained the view that smaller authorities—those with under 50,000 people—cannot be permitted in Wales. The chief executives of the two district councils in my constituency, others in Caerphilly and people in Wales of all parties have made sterling efforts. I give credit to the Labour groups in my constituency which have strongly supported my arguments for the establishment of authorities based on Breconshire and Radnorshire. We have even cited Touche Ross, the Government's own advisers, who have shown that the proposals would be cost neutral.

The Secretary of State is well aware that authorities established under the Scottish arrangements will be smaller

[Mr. Evans]

than those proposed in the Bill. He is also aware that last Friday the independent Local Government Commission for England proposed a unitary authority for Rutland. That decision has undoubtedly been of great comfort to some of my English colleagues. I note, however, that on the very day that Rutland was proposed, the Secretary of State tabled amendments to ensure that the equivalent case for Montgomeryshire, Breconshire and Radnorshire was rejected.

Twenty years ago, Nicholas Edwards and Sir Raymond Gower carried their objections to the structural reform of Welsh local government into the Division Lobbies. Their views were rejected by the Conservative Government of the day, and they were defeated. With this Bill, the Government are recognising that they were right after all and they have re-established unitary council status for Pembrokeshire. It is ironic that in correcting that perceived injustice the Government have, with the connivance of the hon. Member for Caerphilly, committed as great an injustice in these amendments against the people of mid-Wales.

Mr. Llwyd: I agree with the hon. and learned Member for Montgomery (Mr. Carlile). I do not intend to get involved in a party political slanging match because, at the end of the day, we are talking about the delivery of services to the people of mid-Wales. If the hon. Member for Brecon and Radnor (Mr. Evans) were serious about the shire counties of mid-Wales being reinstated, why did he turn his back on the people of Meirionnydd?

Labour Members, the hon. and learned Member for Montgomery and I were fully supportive of the hon. Gentleman's case on the basis that separate shire authorities for the whole of mid-Wales could work together happily on developmental, structural and economic grounds. In addition, we knew that a review of the workings of the Development Board for Rural Wales was imminent. That was one of the mainsprings of the argument made by the hon. Member for Brecon and Radnor but, alas, he then turned his back on the people of Meirionnydd. Even worse, he tried to persuade me not to push the matter to a Division because he said that he was confident that we would win tonight. I do not accept Tory advice at any time, but I am especially pleased that I did not accept it in this instance.

The hon. Gentleman is single-handedly responsible for the loss of Meirionnydd. Meirionnydd has existed since the immediate post-Roman times. His Conservative friend who will stand against me at the next election will have a torrid time of it when he embarks on his pathetic campaign trail.

Mr. Jonathan Evans: The hon. Gentleman will confirm that, when we had our material discussion, he maintained that he would be able to organise a vote on Report. We are not able to debate the position of Meirionnydd at this point because he forced the matter to a Division. Furthermore, how I might have voted would not have affected the outcome.

Mr. Llwyd: I am not in a position to guarantee Opposition votes and I did not claim that I was. The hon. Gentleman should know better than to make such palpably ridiculous charges. I could not guarantee that Opposition Members would vote for the amendments because I am in no way involved with the official Opposition. His statement is palpably untrue, but I shall leave it there.

Despite having existed for centuries, the historic counties of Montgomeryshire and Meirionnydd are to disappear because of the Government. My position is similar to that of the hon. and learned Member for Montgomery. We were both assured by the previous Secretary of State, who respected Welsh history and culture, that there would not be a problem. He said that our counties would be reinstated. In the light of that assurance, the hon. and learned Gentleman and I were happy. I shall not dwell on the skulduggery that has taken place since January—*[Interruption.]* I hear some Conservative Members making sedentary comments. They have not participated in the debate so far but, if they wish to do so, I shall give way to them. However, if they merely want to make a noise, there is plenty of room for them to do so outside the Chamber. This is a serious matter.

It angers me that we are faced with the effective extinction of historic counties for narrow party political ends. As the hon. and learned Member for Montgomery said, I have no doubt that we shall soon again debate local government in Wales as the Bill is flawed. It will need to be reviewed shortly, and I have no doubt that the saying "Tra môr, tra Meirion" will come through once again.

I am appalled at the way in which the Government have seen fit to ignore the views of 13,000 petitioners from Meirionnydd and the hundreds of letters that have been written by various people from all political persuasions, and taken this step. It makes me even more angry that the Prime Minister, in congratulating the hon. Member for Rutland and Melton (Mr. Duncan)—the hon. Gentleman is in the Chamber and I wish him good luck—should give his seal of approval to a county that has a similar history to Meirionnydd and Montgomery, yet we as Welsh people in this Parliament are denied our rights. I have no doubt that our constituents will look to the Conservative party at the next election and rue the day that this happened.

7.30 pm

Mr. Warren Hawksley (Halesowen and Stourbridge): I declare an interest which is in the Register of Members' Interests: my wife and I own a hotel in Montgomeryshire. I therefore have the pleasure of living in Montgomeryshire, seeing how Montgomeryshire district council operates and seeing how popular it is with local people, especially compared with the remote Powys county council.

I shall be brief. I felt that it was an insult that the Minister's introduction to the amendments took only two minutes. I had hoped that we would have a longer explanation of exactly what has happened since the Committee stage. I had hoped that the Minister would discuss why the second-best alternative of financial autonomy for the three area committees, which was dealt with last night, was not a starter. I understand that the proposal was put to the Department of the Environment on Monday this week. Why was it not dealt with earlier so that the various Departments could study the proposal more fully to see whether it was a runner?

On Friday, the proposal that Rutland should have its own authority was announced. That was an important decision, which was welcomed at Prime Minister's Question Time today. It is extraordinary that, within hours of the Prime Minister's welcoming the decision, a proposal which was accepted in Committee, and which would have resulted in a similar situation, was overturned by the Government. The Rutland case is by far the most important thing that has happened since the Committee stage.

Undoubtedly, the proposals as agreed in Committee, with the support of two of my hon. Friends, have the support of the public. Public opinion polls have shown that. The comments that I heard when I was back at my hotel show that there is terrific support for the proposals that were agreed in Committee. We heard in Committee about the support from the community councils. The lower tier of local government wanted to retain the three authorities, and that is important.

I have lived most of my life in the border counties; I was born just over the border in Shropshire. As I moved into a county in 1992, I was interested to see that the Government proposed that the county of Montgomeryshire should be saved and should be the unitary authority. I welcomed the proposal at the time. In Committee, I quoted the words of the then chairman of the Conservative Association when an election meeting was addressed by the then Secretary of State for Wales. The chairman of the Conservative Association said that he was pleased to be back in Montgomeryshire and looked forward to its becoming a unitary authority. I can understand why not only the Liberal Democrat, Plaid Cymru and Labour supporters but the Conservative supporters in Montgomeryshire felt let down by the Secretary of State when he came forward with the proposals at this late stage after the election.

I regret that we need to fight again the fight that we fought and won in Committee. I am disappointed at Labour's attitude. Labour Members tried to explain that they would support this vote. I hope that we will see more than 70 Labour Members paraded in a few moments when we vote on the amendment. If that is all they can get to support the three authorities, it is a fairly poor show and the decision will rest with them. Some of my hon. Friends will support the Opposition parties in opposing the amendment. It will be interesting to see how many socialists go into the Lobby to support those of us who fought hard for the three counties.

It is a sad night. As the hon. and learned Member for Montgomery (Mr. Carlile) said, it is probably the end of the county of Montgomeryshire. I shall vote with a heavy heart against the Government's amendment. The Government should honour their election pledge to bring back a unitary authority for Montgomeryshire. I hope that Labour will produce enough votes tonight to join those of my hon. Friends, including my hon. Friend the Member for Brecon and Radnor (Mr. Evans), and other Opposition Members to defeat the Government's proposal. It lets down the electors of Montgomeryshire.

Mr. Ron Davies: Normally, I do not take much notice of the comments of the hon. Member for Halesowen and Stourbridge (Mr. Hawksley) because he has no mandate to speak on this matter in the House.

Mr. Jonathan Evans: On a point of order, Mr. Deputy Speaker. Surely my hon. Friend the Member for Halesowen and Stourbridge (Mr. Hawksley) has every right to be heard in the House. Should not the statement of the hon. Member for Caerphilly (Mr. Davies) be challenged?

Mr. Deputy Speaker: Yes, the hon. Member for Halesowen and Stourbridge (Mr. Hawksley) has just been heard.

Mr. Davies: Thank you, Mr. Deputy Speaker. I was saying that, as far as I am concerned, the hon. Gentleman does not have a mandate on this matter. He does not have a constituency in Wales and he does not have the vote of one person living in Wales. The only interest that he has is the financial interest that he happens to have in his constituency.

Mr. Alan Duncan (Rutland and Melton): He is in the House.

Mr. Davies: The hon. Gentleman knows all about financial interests; he was disgraced as a result of his financial dealings with the city of Westminster. If the hon. Gentleman wants to discuss the question of financial probity, I am more than happy to give way to him.

Mr. Deputy Speaker: Order. We should dispense with the insults and get back to the debate.

Mr. Davies: The hon. Member for Halesowen and Stourbridge said that he would be interested to know how many socialists will be in the Lobby tonight. I venture to suggest that he is asking the wrong question. The question that he should ask is how many Tory Members will be in the Lobby to defend the interests of Montgomery, Brecon and Radnor. Having asked that question, he should then ask how many of them will be in the Lobby to ensure the destruction of unitary authority status for Montgomeryshire, Breconshire and Radnorshire, because they will decide the outcome of the vote.

I shall briefly restate the position that the Labour party has consistently held on this matter. During the statement made in the House when the White Paper was produced, I announced my support and that of my party. I referred specifically to the case made for Montgomery and Montgomeryshire. By implication, my statement of support for Montgomeryshire implied support for the case made for unitary authorities for Brecon and Radnor. The case has been made by those councils for the people of those areas. They made their own case, and it was supported admirably by the Council of Welsh Districts.

In Committee, the case was argued compellingly by the hon. and learned Member for Montgomery (Mr. Carlile) and the hon. Member for Brecon and Radnor (Mr. Evans). I acknowledge the role that they played. The motion was carried because of the votes of Labour Members. We supported the case made for Montgomeryshire and Brecon and Radnor because we believed in the principle of self-determination. We also accepted the viability of those three authorities. The case for them will also be strengthened enormously when we have a Welsh assembly, which will be able to ensure that the necessary support and co-ordination for strategic services are given.

It was clear at an early stage that the Government were not prepared to accept those amendments, which were carried against the Minister's wishes.

Mr. Alex Carlile: Was the hon. Gentleman aware that, during the past few minutes, it has been revealed that the Government intend to abandon Government amendment No. 54 and that it will require only 10 members from an area to ask for an area committee?

[Mr. Alex Carlile]

Does the hon. Gentleman agree that if the Government can make that concession at this late stage—I express my appreciation of it—it would be appropriate for the Secretary of State to have a rethink on unitary authorities, too, and that the House would appreciate that?

Mr. Davies: That was a dramatic intervention. If I replied to the hon. and learned Gentleman in full, I would have to divulge some of the inner workings of this place. I see that the Liberal Democrat Chief Whip is in position and that the Secretary of State is becoming embarrassed. I am a former Whip, so I am not prepared to divulge all the secrets, but I shall reply directly to the hon. and learned Gentleman's question. Yes, I was aware of that and asked my hon. Friend the Member for Cardiff, Central (Mr. Jones), who does not normally figure in these debates as he is an Opposition Whip, to consult the hon. and learned Gentleman.

The hon. and learned Member for Montgomery will know that when we debated the matter yesterday I expressed my scepticism because the concession that he was seeking would have made the creation of area committees that much easier, which would have had a destructive effect on many of the communities in Wales that we have discussed. I believe that it will be a force for instability. I recognise, however, that the Government are trying to make some concession, presumably to appease the hon. Member for Brecon and Radnor, because that will allow the re-creation of an area committee for Radnor which, as the hon. Gentleman demonstrated concisely in Committee, would be denied by Government amendment No. 54.

I suggested to my hon. Friend the Member for Cardiff, Central that he consult the hon. and learned Member for Montgomery. I am persuadable on the matter. If he feels that the Opposition should comply with the withdrawal of Government. amendment No. 54, we will consider doing so.

I must place on record, however, the fact that my colleagues and I want to give the strongest possible support to unitary status for Montgomery, Brecon and Radnor. The proposals contained in the decentralisation measure do not provide a recipe for dealing with the inherent contradictions that exist within a Powys unitary authority. They will also be destructive of local government. That is why I believe that the way to deal with those matters is to strike out clauses 27 and 28, which is what we advocated in Committee and last night.

I was referring to decentralisation when the hon. and learned Member for Montgomery intervened. I recall the attitude of the hon. Member for Brecon and Radnor in Committee. He said that he supported decentralisation. He did so only because he realised that his attempt to break up—if I can use that expression—the Powys unitary authority into its constituent parts was doomed to failure. He supported the decentralisation measure to prepare for that eventuality. He made that quite clear.

In fairness, the hon. and learned Member for Montgomery gave precise expression to those views when we debated the matter in Committee. I understand that, as it was a practical and realistic expression, but it does not fit with the sense of synthetic outrage that we get from the hon. Member for Brecon and Radnor, who pretends that all along he has been a vigorous defender of the interests of Brecon, Radnorshire and Montgomeryshire and that he will brook no compromise.

Clauses 27 and 28 stand testament to the attempts of the hon. Member for Brecon and Radnor to reach a compromise deal with the Government. The whole purpose of the compromise was so that he could sell out on unitary authority status. That is the reason for the latest Government attempt to backtrack on their position, for which they were prepared to go to the wall yesterday, on amendment No. 54. They understand that, by doing so, they will deny the hon. Gentleman even that fig leaf of a decentralised area committee for his proposed unitary authority of Radnorshire. Since the hon. Gentleman seems to be in some discomfort—at least, he is pulling faces and getting very agitated—I shall happily give way to him. We have plenty of time.

7.45 pm

Mr. Jonathan Evans: I was becoming a little concerned because, in one of our first debates on the subject, the hon. Gentleman promised three times to give way to me but never did. He will recall that in Committee I was prepared to consider area committees, provided that financial autonomy was included. I had a consistent and regular position, but sadly the Secretary of State said yesterday that he was not able to concede that.

Mr. Davies: Every time the hon. Gentleman intervenes in this debate he demonstrates two things: his failure to convince the Government of the merit of his case—if I had been such a failure, I should have been a little more reticent—and the fact that he has no support tonight on the Conservative Benches.

When we debated these matters in Committee, we supported first Montgomeryshire, then Brecon and Radnor. Then, as the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said, we supported him. We did so because it was a matter of principle and because we believed that those small rural unitary authorities could be viable, especially in the context of a mid-Wales forum.

First, the hon. Member for Brecon and Radnor denied his reciprocal support to the hon. Member for Meirionnydd Nant Conwy, thereby denying the very principle that he asked us to endorse. Secondly, and even more destructively of his case, he knowingly denied the opportunity for the creation of a mid-Wales forum. By removing the opportunity of a Meirionnydd that could have joined those unitary authorities, he destroyed that concept of a mid-Wales forum, but that concept provided the alternative that would have allowed the Government to make a concession on the Floor of the House.

I do not know why, but I confess that I share with the hon. and learned Member for Montgomery admiration for the forthright position that the hon. Member for Brecon and Radnor took by voting for a separate Brecon, Radnor and Montgomery. I fail to see why, however, having resigned his position and voted against the Government on those issues, the hon. Gentleman failed to follow the logic of his position and the principle that all Opposition Members had united in defending in Committee. I do not understand why he failed to do so.

What has happened since Committee stage has been significant. First, the Government have accepted the principle of two-tier government—not in Wales, unfortunately, but in England. I share the hope expressed by the hon. and learned Member for Montgomery that, even at this late stage, the Government will recognise that they have got the thing totally wrong and are in a minority in Wales. I share that hope, but it is a forlorn one. It is worth putting it on record that the Government consider Clackmannan in Scotland, with a population of 47,000, to be worthy of unitary authority status and that Rutland, with a population of 37,000 is also worthy of such status.

I was surprised to hear the Prime Minister say this afternoon that questionnaires are to be sent to every household in Huntingdonshire so that local people can have their say. He said:

"That is the right way to proceed."

That is from the Prime Minister of a Government who insisted yesterday that new clause 11, which would have given precisely the same right to every authority in Wales, must be defeated. Where does the hon. Member for Brecon and Radnor stand now? Where do the Secretary of State for Wales and his Front-Bench colleagues stand? Why is it that small authorities can exist in England and Scotland? Why can those in England and Scotland—with the seal of approval from the Prime Minister—have a referendum?

Mr. Alex Carlile: We are a colony.

Mr. Davies: The hon. and learned Gentleman shouts that we are a colony. We are not; we are a proud nation. At the moment, we are suffering from maladministration. The Prime Minister today stated clearly the contempt with which the Conservative party views those of us who live in Wales and who represent Welsh constituencies.

I believe that the hon. Member for Brecon and Radnor shares that contempt. Having failed to persuade the Government, and having also manifestly failed to organise any support on the Conservative Benches for his case, he is now trying to divert attention from his failures by blaming the Labour party. I do not understand that.

The hon. Gentleman knows that the parliamentary arithmetic is quite simple, but I shall spell it out for the record so that the electors of Brecon and Radnor have a clear understanding of what has happened. The Government have a substantial overall majority. It would require a significant move by Conservative Members, either to join us in the Lobby or to abstain. We need at least 25 Conservative Members and we need to mobilise all Opposition Members to defeat the Government tonight. The hon. Gentleman has made no attempt to mobilise that opinion.

If there was an opportunity, it arose during the debate on new clause 11 last night. The hon. Member for Brecon and Radnor seeks to persuade the House and the people of Brecon and Radnor that it is conceivable that all Opposition Members—including more than 260 Labour Members—will come along tonight to endorse a proposition in which the Conservative party has a direct interest. Opposition Members know that the proposition will not restore to our councils—Labour, Liberal Democrat and independent councils—the same rights as the hon. Gentleman demands for Brecon and Radnor. That is all we are asking for. We are not asking to rewrite the statute now; we are just asking for the same rights for our constituencies and districts.

We know how consistent the hon. Member for Brecon and Radnor is. We do not have to look in the looking-glass, because we can read the record. When the hon. Gentleman had an opportunity to show consistency of principle, he ratted on it in Committee. He failed to support the case for Meirionnydd, and the cases which we were making for Rhondda, Cynon, Taff, Port Talbot, Neath, and so on. That is a fact.

If there was an opportunity to defeat the Government and to carry the cases for Brecon and Radnor, Montgomery and Meirionnydd, it came last night in the debate on new clause 11. The hon. Gentleman failed not only to mobilise support for it, but failed even to put himself in the Lobby. He is now trying to suggest that we should bail him out. He failed to win the argument, he manifestly failed to win the vote last night and he failed even to persuade the Government of the logic of his case.

I wrote to the Secretary of State last night, saying:

"I recognise that opinion on this matter is divided on both sides of the House and I will be taking the unusual step of proposing that Labour MPs have a free vote on this question. I hope you will be able to adopt a similar position to decide this matter free of any party dogma."

There is a strong case for that, given that we know that there are manifest divisions on both sides of the House.

Local government in all the countries of the United Kingdom is now in turmoil. Why do the Government seek not only to impose different standards on England, Scotland and Wales but to have their ideological writ run wherever they can? I do not understand that, and that is why I wrote to the Secretary of State suggesting that, in the case of Powys where opinion is divided, we should have a free vote. Unfortunately, he has not responded. Presumably, therefore, the Conservative party will be whipped tonight. If the proposal is carried, it will not be because of the absence of Labour Members; it will be because of the Whip which the Government are imposing.

I shall vote tonight against the Government and I shall recommend that my hon. Friends join me in the Lobby. I know that the statements, speeches, actions and attitudes of the hon. Member for Brecon and Radnor represent nothing more than a gesture. He has been the architect of his own failure.

Mr. Gwilym Jones: I totally reject the contemptible approach of the hon. Member for Caerphilly (Mr. Davies) towards my hon. Friends the Members for Halesowen and Stourbridge (Mr. Hawksley) and for Rutland and Melton (Mr. Duncan). Their contributions to our debates on the subject of local government reorganisation in Wales are just as welcome and constructive as the hon. Gentleman's, and usually more so.

Mr. Alex Carlile: Will the hon. Gentleman give way?

Mr. Jones: No, I do not want to give way to the hon. and learned Gentleman. I shall reply to the debate and I am using the same maxim as the hon. and learned Gentleman of not going over the old ground time and time again. We have certainly aired all the arguments very well, and it is now time to come to a conclusion.

I know that my hon. Friend the Member for Brecon and Radnor (Mr. Evans) has acted throughout with principle and consistency in continually seeking to advocate what he believed to be the best for his constituents. At the same time, he will accept that the Government have equally acted with principle and consistency in putting forward what we believe is the best arrangement for Brecon and Radnor, and for the rest of Wales.

I believe that it is better because, by proposing a Powys council, we are bringing forward suitable arrangements with a principal authority which is appropriate for mid-Wales. Our proposals for shire committees will make

[Mr. Jones]

considerable progress in bringing control of local matters to locally elected representatives in the historic counties. That will be a far better arrangement for Breconshire, Radnorshire, Montgomeryshire, Merionethshire and any other part of Wales which seeks to take up the opportunities for shire committees.

Mr. Alex Carlile *rose—*

Mr. Jones: I do not want to be overlong tonight. Members of the Standing Committee know that I dealt at some length with the possibilities of the shire committees. They are possibilities, and we are not laying down formulas. It is up to local people to decide what they want to make of the decentralisation schemes. I believe that they are better arrangements than what has been advocated. What we are coming forward—

Mr. Alex Carlile: On a point of order, Mr. Deputy Speaker. The Minister said that he would not give way to deal with points that have been already discussed, and of course he is right. Is it in order and appropriate for him to give way on a new point, and is it in order—

Mr. Deputy Speaker: Order. The hon. and learned Gentleman is a long-time campaigner in the House and he is very experienced. He knows the answer to that question. The Minister is responsible for his own speech.

Mr. Jones: I am concluding, and I think that the House wants me to make progress and not to waste any more time this evening.

I must say that we will not pursue amendments Nos. 54 and 55. We have listened to what was said yesterday and we have reflected on the matter. We are conscious of the situation of Radnorshire and we believe that there should be an appropriate threshold for numbers of councillors to trigger a decentralisation scheme. We do not look upon the matter as a party political one. It was suggested yesterday that it would need something like 90 per cent. of members elected for one party ticket.

Instead, we are looking for a high level of uniformity from locally elected representatives coming forward on the basis of what they want for their local county. After what we have heard, we are prepared to go back to the original threshold of 10 and therefore we will not be moving the amendments.

Question put, That the amendment be made:—

The House divided: Ayes 128, Noes 35.

Division No. 263] **[7.58 pm**

AYES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Burt, Alistair
Butler, Peter
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Clappison, James
Coe, Sebastian
Congdon, David
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Davies, Quentin *(Stamford)*
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephen
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Evans, Nigel *(Ribble Valley)*
Evennett, David
Faber, David
Fabricant, Michael
Fishburn, Dudley
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
Gardiner, Sir George
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Harris, David
Haselhurst, Alan
Heald, Oliver
Hendry, Charles
Hill, James *(Southampton Test)*
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, Sir James
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Montgomery, Sir Fergus
Moss, Malcolm
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Page, Richard
Patnick, Irvine
Porter, David *(Waveney)*
Redwood, Rt Hon John
Richards, Rod
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Sproat, Iain
Stephen, Michael
Stern, Michael
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Trend, Michael
Twinn, Dr Ian
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Willetts, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. James Arbuthnot and
Mr. Derek Conway.

NOES

Ainger, Nick
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Bermingham, Gerald
Brown, N. *(N'c'tle upon Tyne E)*
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Dafis, Cynog
Davies, Ron *(Caerphilly)*
Dixon, Don
Evans, Jonathan *(Brecon)*
Foster, Don *(Bath)*
Gunnell, John
Hanson, David
Harvey, Nick
Hawksley, Warren
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Nigel *(Cheltenham)*
Llwyd, Elfyn
Lynne, Ms Liz
Macdonald, Calum
Michael, Alun
Michie, Mrs Ray *(Argyll Bute)*
Morgan, Rhodri
Powell, Ray *(Ogmore)*
Rendel, David
Rowlands, Ted
Skinner, Dennis
Spearing, Nigel
Spellar, John
Timms, Stephen
Wareing, Robert N
Wigley, Dafydd

Tellers for the Noes:
Mr. Archy Kirkwood and
Mr. Paul Flynn.

Question accordingly agreed to.

Clause 10

COMMUNITY COUNCILS FOR GROUPS OF COMMUNITIES

Amendment made: No. 49, in page 8, line 3, at end insert—

'( ) An order under this section shall make such provision as appears to the council making it to be necessary for the application to the communities included in the group of all or any of the provisions of section 79 of the Charities Act 1993 (parochial charities) and of any of the provisions of this Act with respect to the custody of community documents, so as to preserve the separate rights of each community.'.—*[Sir Wyn Roberts.]*

Clause 17

GENERAL PROVISION FOR TRANSFER OF FUNCTIONS

Amendments made: No. 50, in page 13, line 20, leave out 'to the contrary'.

No. 103, in page 13, line 22, leave out 'express'.

No. 51, in page 13, line 27, leave out 'the appropriate' and insert 'a'.

No. 52, in page 13, line 32, leave out 'the appropriate' and insert 'a'.

No. 53, in page 13, line 34, leave out from 'Where' to 'that', in line 36, and insert

'in relation to any relevant legislative provision, any question arises as to which new principal area is the appropriate new principal area for the purposes of that provision'.—*[Sir Wyn Roberts.]*

Clause 25

SERVICES

Mr. Paul Murphy (Torfaen): I beg to move amendment No. 4, in page 19, leave out lines 21 to 45.

Madam Deputy Speaker (Dame Janet Fookes): With this it will be convenient to discuss also the following amendments: No. 3, in clause 26, page 20, line 23, after '1996', insert 'and

(c) hold public meetings in their areas to discuss the service delivery plans.'.

No. 9, in page 20, line 26, at end insert—

'(3A) A council's service delivery plan shall be published in English and in Welsh.'.

Mr. Murphy: I hope that these amendments will not occupy the House for long.

The three amendments which lie in my and my hon. Friends' names refer to cross-border trading or tendering, to clause 25, which we discussed at some length in Committee, and to service delivery plans. I refer to the arguments that the Government made in Committee. We said then, and we say today, that the Opposition agree with the idea of cross-border trading or tendering. We believe that there is an opportunity for different local authorities in Wales, not only to trade with one another, but to give one another their skills and the expertise that all our local authorities in the Principality have established over many years. In Committee, Ministers said that they would reconsider the operation of clause 25.

Our reservations about the clause were twofold. First, we thought that the geographical restrictions that the Government were to impose on cross-border trading were too restrictive. We said that if it were possible, for example, for the skills in Anglesey to be used by a council in south Wales, that should be a reality. I believe that it was the Parliamentary Under-Secretary of State who said that he would re-examine those geographical limitations.

The other limitations, which may be more serious, referred to those parts of the clause which, in turn, refer to compulsory competitive tendering. Effectively, those sections say that cross-border trading cannot operate if the services concerned are covered by the Government's regulations regarding compulsory competitive tendering.

There are two problems. The first is that, as recently as this week, the Parliamentary Under-Secretary of State for the Environment, the hon. Member for Banbury (Mr. Baldry), in reply to a written question, said:

"Compulsory competitive tendering is being extended to six professional support services, in a phased programme—legal services, professional construction and property services, IT, finance, personnel, and corporate and administrative services." —[*Official Report*, 14 June 1994; Vol. 113, c. *346*.]

Some of those are the very services which, we believe, could be offered by one local authority to another.

Mr. David Hanson (Delyn): Is my hon. Friend aware that on 27 April 1994 the very same Parliamentary Under-Secretary of State for the Environment said at a seminar that he believed that it should be possible for cross-border tendering to take place? I should be interested to hear later whether the Parliamentary Under-Secretary of State for Wales agrees with that presumption, which has already been put forward by the Department of the Environment at that conference.

8.15 pm

Mr. Murphy: I hope that in reply the Minister will take those facts into account because they seem to be contradictory. I hope that the Parliamentary Under-Secretary of State for the Environment was right and that cross-border trading could operate in the sectors that I mentioned.

The other aspect of CCT that is affected by clause 25 is that of the areas that are already covered by compulsory competitive tendering. The most significant one is that which refers to the highways functions of our present county councils. The Minister will recall that, in Committee, he and his right hon. Friend the Secretary of State jointly announced eight what they called "centres of excellence" in Wales. Those would relate to the highway functions, and they would also have taken over much of the work of highway DLOs in Wales, which are currently run by our county councils. The Government agree—and we agree with the Government—that they are centres of excellence.

The problem is that if those centres of excellence are unable to take part in cross-authority trading and tendering, their viability would be put at serious risk because they would be restricted to the management of trunk roads, motorway networks and only 35 per cent. of the work within the local authority's boundaries. There is some doubt about whether those centres of excellence of highways provision could then apply.

The Government also said that they would consider the Council of Welsh Districts' safeguards, which were outlined in Committee because obviously, as the Minister said in Committee and might say again this evening, they were worried about the risk that would be accepted by the local authorities were they to undertake cross-border trading. I said in Committee—the CWD indicated its support on that issue—that the district auditor, the work of the council through its committee system, and the Secretary of State's powers under sections 13 and 14 of the Local Government Act 1988 are sufficient safeguards to protect, not only local authorities that engage in trading, but other local authorities.

[Mr. Murphy]

I do not think that cross-border trading will harm the viability of our local authorities. It can bring only good to all our authorities in Wales, especially now that they are becoming smaller. We fear that some of the excellent services that are provided, especially by the county councils, should be safeguarded and given to those other local authorities. The last thing that we want is for it to be used as a means simply of privatising more local government services. I do not think that that is under consideration at the moment. What is under consideration is the best delivery of services by the 20-odd—I am not quite sure how many it is now—unitary authorities in Wales.

The purpose of amendment No. 3 is to widen the public debate about service delivery plans. The Government—in our view, rightly—are indicating that those plans should be published. We are saying that those published plans could well be the subject of public meetings. At those meetings, the public who are worried about county council services such as adult education and other matters with which the county deals would be safeguarded by the service delivery plans of the new unitary authorities.

It is also important because the service delivery plans should include the safeguards that the Government intend for the voluntary organisations in Wales. We believe that the Government should give proper guidance to the new transitional committees, and that that guidance should contain recommendations for transitional funding for voluntary organisations in Wales. That has been discussed at length in Committee and I do not want to elaborate today.

Those are our arguments. The Government said that they would return to the Floor of the House to answer the arguments that we and the local authority associations had made to them about CCT.

Mr. Hanson: I do not wish to detain the House for long, but I hope that the Parliamentary Under-Secretary of State will answer a couple of arguments.

I shall not revisit the discussion that we had in Committee. There was an extensive discussion about the Government's original intentions for lead authorities, which were outlined in the White Paper and which indicated the possibility of having centres of excellence within local authorities and thereby allowing some cross-border trading. A centre could be established with a lead authority providing a service which other authorities, such as my own county of Clwyd, could buy in to improve their own local services more efficiently and cost-effectively. As a result of the discussions in Committee, the Government agreed to consult various authorities and agencies in Wales on how best to overcome the matter.

It was obvious from what Lord Rodger of Earlsferry said in another place that the Government intended that cross-border tendering should no longer be part of the fabric of local authority organisation—for reasons, it appeared to the Committee, of pure dogma. I hope that the Committee convinced the Under-Secretary that the Government's objectives for CCT would not be negated by cross-border tendering because everything that could be done under CCT would remain the same and the protections would be in place, but there would be the opportunity to provide what we believe the Government want, which is cost-effective and efficient local services in a number of areas, highways being the one that we discussed most.

I want the Under-Secretary now to tell us the results of the consultation. I understand from a parliamentary reply that letters were sent out on 23 May with replies being sought by 7 June. What response did the hon. Gentleman have from local authorities and organisations on the issue of cross-border tendering? That is relevant to our debate today and I want their responses placed on the record.

The arguments that we advanced in Committee are still valid today. There is no good reason why there should not be cross-border tendering within the new local government structure. The Government have expressed several fears if cross-border tendering is allowed. The first is that the private sector would not be able to take part in certain services in which it is currently involved. That is a fundamentally misconstrued belief. With CCT, anyone who offers a cross-border service, whether from Flintshire, Wrexham or Denbighshire, will do so on the basis that he will win the tender because he has been competitive. Private organisations can still bid for that service and if they are the most cost-effective, the most efficient and in the best interests of the ratepayers, they will win the contract.

Secondly, the Government suggested that the lead authority would place a burden on its own ratepayers. For example, a lead authority such as Flintshire might set up all the infrastructure and expertise in-house to provide a highways service to Denbighshire and Wrexham, but at the end of the day those authorities might decide not to purchase the service. The ratepayers of Flintshire would then suffer a loss. However, local authority organisations have explained to the Government that the district auditor can step in and the Government's powers can be used to stop such a situation dead in its tracks if a local authority provides a service that then begins to lose money. Therefore, the Government's argument is negated.

The arguments for negating cross-border tendering do not hold water. The private sector, which the Government want to compete, can still compete and, if it is efficient, it will win. If, for whatever reason, a local authority finds that it is losing money on a service that it provides, the Government have the power via the district auditor, via councillors who would not wish to be surcharged, or via the Secretary of State's powers to end that service and provide an alternative method of service delivery.

Since the Committee stage, I have discovered that on 27 April the hon. Member for Banbury said at a conference that local government reorganisation would provide fresh opportunities for the delivery of services. He also said—and it is significant for this debate—that there were cases where a council's DSO should be able to deliver services to another council's area or for a joint body of several unitary authorities to provide a service.

I return to the point made often by my hon. Friend the Member for Caerphilly (Mr. Davies): if the hon. Member for Banbury intends to include in the forthcoming English Bill a facility for local authorities to provide a service, in co-operation with each other, to beat the system of competitive tendering—to allow, perhaps, Rutland to provide a highways service to a neighbouring authority such as Huntingdonshire—why will not the Welsh Under-Secretary do the same for Wales?

I am an Englishman representing a Welsh seat. I received the vote of Welsh constituents, but I was born in

England. I am a Member of a British Parliament. I reside in Clwyd. I do not want the residents of Saltney, one mile from Chester, to receive a service that is different from the residents of Chester, which is just over the border. I am acutely aware of the border as it falls in my constituency. If the Department of the Environment allows Cheshire county council to do one thing and the counties of Flintshire and Denbighshire to do another, I shall be angry and upset. There must be a level playing field between the Cheshires and the Clwyds and between England and Wales.

I rest my case. Tonight we want to hear from the Under-Secretary the detailed results of the consultation following the Committee stage. Does he agree with his Government colleague, the hon. Member for Banbury, or is Wales yet again to be the poor relation to England in cost-effective service delivery?

Mr. Gwilym Jones: We have had useful debates on this subject both tonight and in Committee. As we promised in Committee, we have consulted the local authority associations, although I cannot go through all the responses this evening. We believe that the powers for regulation are still needed, but I am sure that the House will welcome the fact that we do not intend to impose any geographic restrictions unless there is clear evidence of authorities abusing their freedom to provide services to authorities throughout Wales.

In the case of services subject to competitive tendering, we see no case for cross-border tendering for work such as refuse collection, building maintenance and catering. We have considered carefully the professional services that will become subject to competitive tendering after reorganisation. We have concluded that personnel, legal and financial services that are already adequately dealt with by even the smallest district council, and where there are many potential private sector suppliers, should not be used for the purposes of clause 25. However, we are still considering the possibility that authorities appointed as my right hon. Friend's agents for trunk road maintenance should be allowed to provide professional highways services to other authorities. In due course, we will consult further on draft regulations and will keep the position under review.

If genuine difficulties emerged, it would always be possible for my right hon. Friend to amend the regulations to provide a more relaxed regime. I cannot commend the Opposition's amendment to the House, principally because it would remove my right hon. Friend's regulation-making power.

On amendment No. 3, the Government believe that it is for the new councils to decide how best to publicise their service delivery plans. The publication of those plans will provide the public with the opportunity to comment on the shadow authority's proposals, and I suspect that shadow authorities will wish to consider whether a public meeting is the best way to subject their plans to public scrutiny. I am happy to consider whether the thrust of the amendment should be included in the guidance, but I am not prepared to limit the discretion of the authorities by including it in the Bill.

Mr. Murphy: There is a mixture of disappointment and agreement here. On the disappointment side, I do not understand for a second why some of the personnel, legal services, information technology and so on, certainly in the more sparsely populated areas of Wales, could not be the subject of cross-border tendering. Nobody would have anything to lose and there would be an awful lot to gain if that were to occur.

8.30 pm

I am, however, grateful that the Minister has agreed to have a further look at the highways provision and I am glad that the Government have agreed that the geographical restrictions should be lifted. It is also important that the possibility of public meetings will be included in the guidance notes to local authorities.

Although I am disappointed, I am grateful for those concessions and to that end I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Madam Deputy Speaker: We now move directly to amendment No. 56, to be moved formally.

Mr. Morgan *rose—*

Madam Deputy Speaker: Is there a problem?

Mr. Morgan: I wanted to speak to amendment No. 59.

Madam Deputy Speaker: I do not think that we have got there yet. We have reached amendment No. 56.

Clause 28

DECENTRALISATION SCHEMES: APPROVAL, IMPLEMENTATION AND SAFEGUARDS

Amendments made: No. 56, in page 22, line 6, leave out 'one year' and insert 'six months'.

No. 57, in page 22, line 11, at end insert—

'( ) Where he proposes not to approve the scheme as submitted, the Secretary of State shall notify the council concerned, before the end of that six month period, of the modifications which he proposes to make to the scheme, or (as the case may be) that he proposes to reject the scheme.

( ) Before he approves a scheme subject to modifications, or rejects a scheme, the Secretary of State shall have regard to any representations which have been made to him by the council concerned.'.

No. 58, in page 22, line 28, leave out from beginning to end of line 12 on page 23.—*[Mr. Gwilym Jones.]*

Madam Deputy Speaker: We now move to amendment No. 59.

Clause 32

DECISION MAKING PROCEDURES OF PRINCIPAL COUNCILS: EXPERIMENTAL PERIOD.

Sir Wyn Roberts: I beg to move amendment No. 59, in page 25, line 19, leave out from beginning to end of line 17 on page 26.

Madam Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 60, 110 and 111.

Sir Wyn Roberts: Clauses 32 and 33 were intended to allow the new authorities in Wales the opportunity to experiment with alternative forms of political management within the framework provided by the existing system, but, of course, there was severe criticism of the clauses in Standing Committee and we concluded that further consideration would be beneficial before legislating for

[Sir Wyn Roberts]

changes to a system which appears to be working quite well. Therefore, we have decided that the introduction of a completely new unitary structure with all that that entails in terms of upheaval and reorganisation of services is not the right time to be putting forward the proposals included in clauses 32 and 33, so we decided to remove them.

Mr. Morgan: Thank you, Madam Deputy Speaker. I apologise for having misheard you a few seconds ago. I only wanted to speak briefly on the matter.

Obviously I shall not oppose the Government introducing amendments for which we pressed hard in Committee, but it is fair to say that the Minister did not tell the whole story in that brief introduction. We were asking for a spirit of experimentation which would involve some discussion of the benefits to central Government of the merits of those aspects of the historical functions and modus operandi of local government that we were commending. We were asking for the same flexibility to be applied, possibly to the proceedings of the House. As a result of some of the movements in the direction of flexibility in the reform of Prime Minister's questions and other aspects of the Jopling report, we thought that the Government should give serious consideration to measuring the benefits of Opposition Members having access to civil servants who work only for Ministers in central Government, but whose equivalents work for both sides of the political divide, if there is one, in local government.

Had we had equal access to those officials, as we would have done in local government, we might then have been able to uncover some of the mysteries of the functions of the Office of Parliamentary Counsel and its rather strange extensions which appear to have affected or had a side effect on the proceedings of the Bill.

We were concerned with the principle of measuring the effectiveness of Government. If they want experiments, they should apply them not only to local government, but to central Government. In order to have an experiment, we need some measurement technique to decide what we would count as a success or an improvement on the present system.

Many of us have had short, medium or long experience in the House as well as backgrounds in local government either as elected members—in some cases leaders of councils—or, as in my case, as a local government officer and a civil servant before coming to the House. We therefore have some idea of how some of the advantages of the civil service and Cabinet government and some of the advantages of the committee system and shared access to full-time local government officers could be applied to central and local government simultaneously in a properly measurable, audited and independently validated experiment to improve local and central Government.

Some aspects of local government practice would benefit enormously the proceedings of the House and central Government through the Executive, and some aspects of central Government practice could be brought into local government through experimentation procedure, as was the purpose of the two amendments.

We are happy that the Government have listened to us, although they heard only half the message and took the easy way out by scrapping the whole idea without really conceding the principle that both central and local government could do with a great deal of improvement and could learn a great deal from each other.

Obviously, the Government are nervous about learning something from local government and giving Opposition Members equal access to full-time local government officials. As a result, they have taken the coward's way out. Before anybody had too many bright ideas about giving Opposition Members access to Parliamentary Counsel, private offices or full-time civil servants, they decided to scrub the idea of introducing Cabinet government monopoly access to full-time officials for people on the majority side in a party organisation, using the techniques of Cabinet government and having the sole loyalty of the full-time officials until they get thrown out at the next election.

By scrapping the two clauses and the idea of experimentation, the Government have shown that they never thought it through in the first place; nevertheless, I warmly welcome their decision.

Mr. Rowlands: I am sure that my hon. Friend's wonderful recollection of the debate is the accurate one. My own is that my hon. Friend's marvellous mocking humour shamed Ministers and we probably made too good a case against the clauses. I suspect that, as a result, the Minister has given up and given way.

Amendment agreed to.

Clause 33

DECISION MAKING PROCEDURES OF NEW PRINCIPAL COUNCILS: PERMANENT PROVISION.

Amendment made: No. 60, in page 26, line 18, leave out from beginning to end of line 42.—*[Sir Wyn Roberts.]*

Clause 38

INITIAL TRANSFER OF ASSETS TO COUNCIL FUNDS.

Mr. Gwilym Jones: I beg to move amendment No. 61, in page 31, line 29, leave out from beginning to end of line 1 on page 32.

I must first thank the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) who helped us reach the conclusion that clause 38 can be deleted. In Standing Committee, he asked whether the assets referred to in subsection (1) could include, for instance, council houses whose finances are dealt with in the housing revenue account and whether, therefore, the clause duplicated the order-making power in clause 54, which provides for the transfer of property rights and liabilities.

The answer to his question was that clause 38 would not operate in that way, but we have looked at the position again and concluded that clause 54 gives my right hon. Friend all the necessary power to transfer assets and clause 38 can therefore be deleted.

Mr. Murphy: I wish simply to place on record the fact that at least four columns of the Committee *Hansard* were devoted to the Government's defence of clause 38. I am extremely grateful that the Minister has conceded that the clause is unnecessary, but more importantly agreed that my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), as he did in all the proceedings of the Committee, made an outstanding contribution to the success of that Standing Committee.

Amendment agreed to.

Clause 44

REDUNDANCY PAYMENTS

Amendments made: No. 62, in page 34, line 39, leave out from '(1)' to end of line 3 on page 35 and insert

'In determining the effect of any provision of—

(a) Part IV, V or VI of the Employment Protection (Consolidation) Act 1978, or

(b) Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992,

in relation to a person whose contract of employment is terminated as a result of this Act, it shall be assumed that he was dismissed by the old authority concerned by reason of redundancy immediately before 1st April 1996 and that his dismissal was proposed by the authority.

(1A) For the purposes of this section—

(a) a person's contract of employment is terminated as a result of this Act if—

(i) immediately before 1st April 1996 he was in the service of an old authority under a contract of employment which would have continued in force if that authority had not been abolished; and

(ii) his contract of employment is not transferred to a new principal council or to the Residuary Body; and

(b) a contract of employment is transferred—

(i) to a new principal council, if it is treated by any provision made by this Act, or by or under any other enactment, as continued in force with that council on 1st April 1996; or

(ii) to the Residuary Body, if it is so treated as continued in force with the Residuary Body on that date.'.

No. 63, in page 35, line 5, leave out 'such'.

No. 64, in page 35, line 5, after 'payment' insert

'under Part VI of the Act of 1978'.—*[Mr. Gwilym Jones.]*

Clause 45

OTHER COMPENSATION PAYMENTS

Amendments made: No. 65, in page 35, line 12, leave out from '(1)' to end of line 16 and insert

'This section applies where any contract of employment made before 1st December 1993 is terminated as a result of this Act.

(1A) Subsection (1A) of section 44 applies for the purposes of this section as it applies for the purposes of that section.'.

No. 66, in page 35, line 39, at end insert—

'( ) The Secretary of State may by regulations exclude the operation of this section in prescribed circumstances (and, in particular, in cases of engagement by new principal councils).'.—*[Mr. Gwilym Jones.]*

Clause 47

OLD AND NEW PRINCIPAL AREAS WITH THE SAME NAME

Mr. Gwilym Jones: I beg to move amendment No. 104, in page 36, line 27, leave out '1' and insert '1(1)'.

Mr. Deputy Speaker: With this, it will be convenient to discuss also Government amendment No. 112.

Mr. Jones: Clause 65(2) provides for certain clauses to come into force on enactment. However, as implementation will take place in 1996, there is no longer the pressing need to have the other provisions of clause 1 amending the 1972 Act immediately following Royal Assent. They can be phased in using the commencement order powers under clause 65.

Amendment agreed to.

Clause 50

EXISTING JOINT BOARDS AND COMMITTEES AND PORT HEALTH DISTRICTS

Mr. Gwilym Jones: I beg to move amendment No. 67, in page 37, line 38, after 'councils' insert

'in relation to such areas in Wales'.

Mr. Deputy Speaker: With this, it will be convenient to discuss also Government amendments Nos. 68 to 70.

Mr. Jones: Clause 50 provides the mechanism for the transfer of property held by existing county councils in Wales and required to be applied in accordance with section 90 of the Welsh Church Act 1914. To avoid the division of a property into 22 funds—one for each council—it is to be vested in the lead authorities. The amendments make minor technical changes to clarify the provisions for apportionment of the funds, which will take effect on 1 April 1996.

Mr. Murphy: The Minister will recall that there was a lively debate in Committee on the 191[illegible]t, and I hope that he will be able to indicate which particular Welsh authorities will be designated lead authorities. We argued in Committee—but not today because the argument was concluded in Committee, if not in our favour—that every local authority should act as those authorities dealing with the Welsh church fund moneys.

My first point is one of definition. Page 38 of the 1914 Act, at line 24, uses a word that my hon. Friend the Member for Gower (Mr. Wardell) asks to be interpreted by the Minister—"eleemosynary". The "Oxford English Dictionary" indicates that it pertains to alms giving. My hon. Friend the Member for Gower points out that one of the Bronte sisters wrote that

"eleemosynary relief never yet tranquillised the working classes."

It seems that operation of the 1914 Act is important to not just the working classes but everybody in the Principality.

The Select Committee on Welsh Affairs conducted an investigation only last year into the preservation of historic buildings and ancient monuments. I remind the Minister that it indicated that the Welsh Office should consider how the funds could be restructured on a more equitable and consistent basis for transferring them to the proposed unitary authorities. The Government replied:

"Each county council"—

or leading authority, as it will now be—

"is required to administer its Welsh Church Act fund in accordance with a scheme which sets out the charitable and other purposes to which the Fund's property will be applied. Each scheme has to be approved by the Secretary of State. The Department is not aware of any instance of a council failing to comply with the provision of its scheme but, in the light of the Committee's concerns, it proposes to invite the Charity Commissioners to review the administration of the Funds to see what improvements may be made."

It would be a good idea for the Government to undertake a consultative exercise and to make recommendations to lead authorities as to how best the 1914 Act could be operated in some instances. In some parts of Wales it works extremely well, but in others, not so well. I will be grateful for the Minister's comments.

Mr. Rowlands: I remind the Minister of the role that the Welsh church funds have played in Mid-Glamorgan, in supporting and upholding the fabric of many chapels and churches in our communities and of the rightful necessity

[Mr. Rowlands]

for that work to continue. If the Minister is to establish lead authorities, I hope that one of them will be really representative of the valley communities and that the funds' representation will not be centred on Cardiff. I hope that the Minister will now give the assurance that I sought in Committee.

Mr. Gwilym Jones: I recognise the aspirations of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and there is considerable merit in his comments. I shall see what we can do to achieve that which he seeks.

As to lead authorities, I remind the hon. Member for Torfaen (Mr. Murphy) that I made him happy, but upset my hon. Friend the Member for Monmouth (Mr. Evans), by suggesting that the lead authority for Gwent would probably be Torfaen, on the basis that the computers are currently located there and the administrative arrangements are already to hand. However, our arrangements will ensure that all 22 authorities will fully participate appropriately in the administration of the church funds.

I am advised that the word identified by the hon. Member for Gower (Mr. Wardell) means the relief of the poor.

As to the point about restructuring, which was raised in the Select Committee report, we referred the matter to the Charity Commissioners. The hon. Member for Torfaen suggested consultation, and there is merit in that. That is something that we should examine, but not in the course of local government reorganisation. I am aware that the Wales Council for Voluntary Action has also made worthwhile suggestions about what might be done with the church funds, but those are all matters that we should consider later.

Amendment agreed to.

8.45 pm

Amendments made: No. 68, in page 38, line 2, after 'whose' insert 'designated'.

No. 69, in page 38, line 4, after 'whose' insert 'designated'.

No. 70, in page 38, leave out line 20 and insert '"designated" means'.—*[Mr. Gwilym Jones.]*

Clause 54

Consequential and supplementary provision

Amendments made: No. 71, in page 42, line 16, leave out from 'council' to end of line 17 and insert

'or other public body or to the Residuary Body;'.—

No. 72, in page 42, line 42, leave out from beginning to end of line 5 on page 43.—*[Mr. Gwilym Jones.]*

Clause 56

Local Acts and instruments

Amendment made: No. 105, in page 44, line 13, after '54', insert

'or (*Magistrates' courts, justices of the peace etc.*)'.—*[Mr. Gwilym Jones.]*

Clause 57

Modifications etc. of local Acts and instruments

Amendments made: No. 106, in page 45, line 5, after '54', insert

'or (*Magistrates' courts, justices of the peace etc.*) (a "modifying order")'.

No. 107, in page 45, line 6, leave out 'section 54' and insert 'modifying'.

No. 108, in page 45, line 27, after '54', insert

'(*Magistrates' courts, justices of the peace etc.*),'.

No. 109, in page 45, line 38, leave out

'an order under section 54'

and insert 'a modifying order'.—*[Mr. Gwilym Jones.]*

Clause 62

Regulations, Orders and Directions

Amendments made: No. 110, in page 49, line 31, leave out '32(1) or 33(1)'.

No. 111, in page 49, line 35, leave out ' 32(1), 33(1),'.

No. 73, in page 49, line 41, after 'State' insert

'or (as the case may be) the Lord Chancellor'.— *[Mr. Redwood.]*

Clause 65

Short title, commencement, extent etc

Amendments made: No. 112, in page 51, line 2, leave out '1,' and insert ' 1(1), (2) and (7),'.

No. 75, in page 51, line 2, after '54' insert

'(*Magistrates' courts, justices of the peace etc.*),'.—*[Mr. Redwood.]*

Schedule 1

The new principal areas

Amendments made: No. 76, in page 52, line 11, leave out from beginning to end of line 12.

No. 77, in page 52, line 40, column 2, after 'Monmouth' insert

'together with (from the district of Blaenau Gwent) the community of Llanelly'.

No. 78, in page 53, line 1, leave out from beginning to end of line 4.

No. 79, in page 53, line 7, at end insert—

'Powys Powys	The districts of Montgomeryshire, Radnorshire and Brecknock, together with (from the district of Glynd´r) the communities of Llanrhaeadr-ym-Mochnant, Llansilin and Llangedwyn.'.

No. 80, in page 53, line 8, leave out from beginning to end of line 9.—*[Mr. Gwilym Jones.]*

Schedule 1

The New Principal Areas

Amendments made: No. 81, in page 54, line 27, column 2, leave out

'but excluding the community of Llanelly'.

No. 82, in page 54, line 38, column 2, leave out

'and the community of Llanelly from the county of Gwent'.—*[Mr. Redwood.]*

Schedule 2

Provisions Applying to Preserved Counties

Amendments made: No. 83, in page 56, line 34, leave out 'The provisions of' and insert 'In'.

No. 84, in page 56, line 35, leave out from 'areas)' to end of line 38 and insert ', in paragraph (a), after 'county' insert 'in England' and after that paragraph insert—

"(aa) every preserved county in Wales;".

(2) In section 4 of that Act (petty sessions areas), after subsection (1) insert—

"(1A) In subsection (1) above, any reference to a non-metropolitan county is to be construed, in relation to Wales, as a reference to a preserved county."

(3) In section 19 of that Act (general provisions as to magistrates' courts committees), in subsection (2), in paragraph (a), after "county" insert "in England", and after paragraph (b) insert—

"(bb) every preserved county in Wales;".

(4) In section 70 of that Act (interpretation), after the definition of "prescribed" insert—

"preserved county" has the meaning given by section 63 of the Local Government (Wales) Act 1994;".

The Magistrates' Courts Act 1980 (c. 43)

.—(1) In section 1 of the Magistrates' Courts Act 1980 (issue of summons to accused or warrant for his arrest), in subsection (8) after "county" insert "in England, any preserved county in Wales".

(2) In section 2 of that Act (jurisdiction to deal with charges), in subsections (1) and (3) after first "county" insert "in England, a preserved county in Wales" and after second "county" insert ", the preserved county".

(3) In section 3 of that Act (offences committed on boundaries etc.), in subsection (4) after "county" insert "in England, any preserved county in Wales".

(4) In section 150(1) of that Act (interpretation), after the definition of "prescribed" insert—

"preserved county" has the meaning given by section 63 of the Local Government (Wales) Act 1994;".'.
— *[Mr. Redwood.]*

Schedule 3

Establishment of Principal Councils

Mr. Gwilym Jones: I beg to move amendment No. 85, in page 59, line 8, leave out from beginning to end of line 19 and insert—

'9.—(1) In this paragraph "council" means a county or district council which ceases to exist on 1st April 1996 by virtue of the Local Government (Wales) Act 1994.

(1A) No election of councillors of a council shall be held after 31st December 1994, except—

(a) to fill a casual vacancy in the office of councillor of that council where before 31st December 1994—

(i) the office has been declared to be vacant; or

(ii) notice of the vacancy has been given under section 89(1) of this Act; or

(b) where the number of casual vacancies in the office of councillor of a council occurring after 31st December 1994 exceeds half of the total number of such offices.

(2) Any such councillor holding office immediately before 31st December 1994, or elected after that date to fill a casual vacancy, shall, unless he resigns his office or it otherwise becomes vacant, continue to hold office until 1st April 1996.

(2A) It shall not be necessary—

(a) to fill any casual vacancy in the office of councillor of a council occurring after 31st December 1994; and accordingly section 89 of this Act shall have effect with the necessary modifications in relation to any such vacancy; or

(b) to fill any casual vacancy occurring during March 1996 in the office of chairman or vice-chairman of a council.'.

Madam Deputy Speaker: With this it will be convenient to discuss also Government amendments Nos. 86 to 98, 113 and 114.

Mr. Jones: In Committee, I undertook to return at this stage with our proposals for the suspension of elections to casual vacancies. The amendment fulfils that commitment and confirms our preference for 31 December 1994 to be the cut-off date, except for circumstances described in the amendment. It also suspends the district council elections in 1995 and prolongs the mandate of district councillors.

Amendment No. 86 removes the provision relating to the Agriculture (Miscellaneous Provisions) Act 1941. It is no longer required because the Act has been repealed by the Statute Law (Repeals) Act 1993.

Schedule 13 deals with the powers and administrative arrangements of the residuary body for Wales.

Amendments Nos. 87 to 93 represent minor drafting amendments to provisions that apply for other enactments to the residuary body in order for it to carry out its functions.

Amendments Nos. 94 and 98 are consequential amendments which have been necessitated by the Police and Magistrates' Courts Bill.

Amendment No. 95 is simply a technical amendment to clarify the wording of paragraph 46 of schedule 15, which itself amends section 215 of the Local Government Act 1972. It does not make any substantive change to the provision.

Amendment No. 96 is a technical amendment to paragraph 56 of schedule 15, which itself amends section 255(1) of the 1972 Act to take account of the new local government system.

Amendment No. 97 is a technical amendment to paragraph 17 of schedule 16, which amends section 39(1) of the Land Compensation Act 1961 to provide a reference to county boroughs in the definition of an authority possessing compulsory purchase powers.

Amendment No. 113 amends the Local Government Finance Act 1988 and ensures that an extant local government finance provision will apply to all the new authorities.

Amendment No. 114 is a technical amendment and clarifies an ambiguity arising from the current drafting of paragraph 19(2) of schedule 17.

Mr. Wigley: I am glad of the opportunity to speak about this provision, because, as I see it, quite difficult complications could arise from the fact that after 31 December 1994 no casual vacancies can be filled in an authority that runs until 1996 as an operative authority. That could be the case in rural Wales, for example, where councillors might represent very large areas, but single-member wards, and have difficulty in getting coverage for such wards. It seems unlikely, but if half the councillors resigned, died or whatever, would all the empty wards come up together, or just a number to make it up to over half? The provision seems somewhat artificial, and I cannot see why it would not be possible for it to run through at least until a date in 1995 so that no one is left without representation at a time that is fairly critical to their futures.

Mr. Morgan: The hon. Member for Caernarfon (Mr. Wigley) asks an important question, because, obviously, there are single-member wards as well as multi-member wards, and those vacancies could create a vacuum. I hope

[Mr. Morgan]

that the Minister will accept the need to reply on that point, although in general the proposal is at least an improvement on what was offered in Committee—pushing the date forward.

Amendment No. 87 requires a little more comment than that made so far by the Under-Secretary. Most of the other amendments were aligned with other legislation, apart from that relating to by-elections. The amendment edges us one step further down the road of how to define the residuary body. It makes it look as though for some purposes—rather more than the Government have so far revealed—the residuary body will be defined as a non-departmental public body; in other words, it will be a quango. The amendment incorporates the right of the ombudsman to take up complaints against the residuary body. That right did not exist in Committee because of the Government's enthusiasm for trying to prevent the residuary body from being construed, politically or legally —I am not sure which—as a quango.

Obviously, the Secretary of State is anxious about his record. He wants to be known as a "quango buster", having realised that that might increase his popularity rating in Wales from 0 per cent. to 1 per cent., so he does not want to be seen to be creating any more quangos. Nevertheless, he is being pushed in that direction, probably by the advice that he is receiving. If the residuary body is to have the powers of the ombudsman made applicable to it by the amendment, it would probably be better to go the whole hog.

The Secretary of State will appoint the chairman and some of the members of the residuary body. If I recall correctly, the National Audit Office is to have access to its books—presumably, it will be listed in "Public Bodies", which is the bible of the quangos. "Public Bodies" is published and updated every year and gives the salaries of chairmen and members. In Committee, the residuary body was presented as having a curious undefined status, but a panoply of audit and examination powers and its responsibility to the House go with its being a quango. I therefore hope that the Under-Secretary will say that he accepts the case we made in Committee that the residuary body cannot be other than a quango, because there is no other category into which it fits.

The Government accept that case, functionally, through the taking up of complaints of maladministration and by stating in the amendment that the residuary body will be subject to the review powers of the ombudsman. It has been recommended that there should be compensation where maladministration is proved. I hope, therefore, that the Government will come clean and say that they are creating a quango, even if it has only temporary status.

Mr. Gwilym Jones: I appreciate what the hon. Member for Caernarfon (Mr. Wigley) said about vacancies, especially in rural areas, but we feel that the cut-off date of the end of the current calendar year is an appropriate time to draw a line. The number of vacancies is not expected to be large, although we have put in that ultimate provision of one half of the vacancies in that most unusual—and I think almost impossible to envisage—circumstance. Recollecting what happened in 1973 and 1974, I think that it will suffice. Of course, the shadow councils will be elected in April or May next year. They begin the work for the following year; in that way, they start subsuming activities. There must be some form of continuity there.

Mr. Wigley: Is the Minister implying that a councillor who has been elected to the shadow authority will have a right to attend meetings of either district or county authorities?

Mr. Jones: I do not expect councillors to have such a right, but I recall that, in the reorganisation of 1973-74, as a shadow councillor, I was invited to attend meetings of the council that was about to cease to exist. That may happen again. Nor do I expect shadow councillors to have powers under the existing councils, but I anticipate that, from the following year onwards, the shadow council will subsume the activities of the existing one.

The hon. Member for Cardiff, West (Mr. Morgan) mentioned the residuary body. I did not think that my proposals needed further explanation: these are only minor drafting improvements, which do not affect the substance of the provisions as previously drafted. I hesitate to try to help him by giving a definition of quangos. Following yesterday's sitting of the Welsh Grand Committee, I know that his party is quango-mad—not least because of the number of representatives whom Welsh Labour councils appoint to their own quangos. The hon. Gentleman seems to define whatever he finds as a quango.

Mr. Ron Davies: I am grateful to the Minister for giving way, but I must point out that he is treating the time that remains rather carelessly by being unnecessarily provocative.

The Secretary of State was entirely wrong to make the suggestion that he made yesterday. It showed a complete lack of understanding of the way in which local government operates with its representation on other bodies, which cannot possibly be equated with the quango state created by the Government. If the Minister reflects for a moment on the meaning of the acronym "quango", he will understand that he has misread the position.

9 pm

Mr. Jones: I do not accept what the hon. Gentleman says. Local electors, and some councillors, may wish to study further the quango appointments made by Welsh Labour councils. But the last thing that I want to do this evening is to be provocative, certainly towards the hon. Gentleman.

Amendment agreed to.

Schedule 11

WATER, LAND DRAINAGE AND COAST PROTECTION

Amendment made: No. 86, in page 100, line 14, leave out from beginning to end of line 17.—*[Mr. Redwood.]*

Schedule 13

THE RESIDUARY BODY FOR WALES: CORFF GWEDDILLIOL CYMRU

Mr. Morgan: I beg to move amendment No. 19, in page 103, line 29, leave out 'nor more than 7'.

Madam Deputy Speaker (Dame Janet Fookes): With this it will be convenient to discuss also the following amendments: No. 20, in page 103, line 30, after 'by', insert 'the principal councils in consultation with'.

No. 21, in page 103, line 32, leave out 'may by order alter either of the numbers' and insert

'may with the agreement of a majority of the principal councils by order alter the number.'.

Mr. Morgan: Although this is the final group of amendments, I do not feel that we can simply whistle through the provisions to which they refer. They relate to issues that I touched on briefly when discussing Government amendment No. 87, which provided a foretaste of the questions raised by the establishment of the residuary body.

We made certain demands in Committee. This is our first attempt to return to the theme in a big way, and our last opportunity to put right the difficulties encountered by the Government in their attempt to bridge the gap between the definition of quangos as quasi-autonomous non-governmental organisations, or non-departmental public bodies which are listed in "Public Bodies"—an annual Government publication—and the definition to which the Secretary of State and the Parliamentary Under-Secretary are trying to extend it. They suggest that a quango is something that they define as a quango; a body created by local government could be a quango as well.

That is an absurd proposition, but it is very relevant to the amendments. Quangos are organisations that are listed in "Public Bodies", the Government's bible, because their chairmen are appointed by the Secretary of State and because various other provisions apply. Certain other bodies probably ought to be listed. Several hundred are included, but it clearly is not complete. Occasionally organisations "drop out", as happened with the Commonwealth Development Corporation, which was removed about two years ago when it was deemed to be a commercial trading organisation.

What about the residuary body for Wales? We do not want that to be a quango in either function or name; we want it to be what the Government want to present it as. They may want to present it as not being a quango, but we want it genuinely not to be one. We do not want it to be completely under the control of the Secretary of State; we do not want the Secretary of State to determine the appointment of its chairman, its membership, its powers or the length of its life, or to be empowered to shrink, maintain or extend its powers.

The Bill gives the Secretary of State Henry VIII powers to extend the residuary body, terminate it and move it sideways, forwards, upwards and downwards. It is undoubtedly his creature. Given the way in which it is currently defined in the Bill, it will certainly be a quango—although the Government do not want it to be recognised as such. Our amendments seek to remove it from any such danger by giving the Secretary of State some powers, but requiring the exercise of those powers to be conjoint with those of the new principal councils.

This is, after all, intended to be the body that will deal with the property of the present quantum of local authorities in Wales, if it is determined—after the passage of the Bill, and by means of various orders and subsidiary legislation—that that property is not to be properly housed among the new authorities. Cardiff-Wales airport is the outstanding example. We are concerned that its future lies with the residuary body.

Mr. Redwood: I hope that the current owners of Cardiff airport will come to an arrangement on its future, which could include private capital and a greater role for its management, which would solve the problem. If they do not, it will pass to the residuary body. I do not intend to split the shareholdings among all the new authorities that could have a claim. It is in the hands of local government, and I hope that it solves the problem.

Mr. Morgan: I am grateful, in one sense, to the Secretary of State for his attempt to clarify the matter, although not for the content of his intervention. He is placing a sword of Damocles over local authorities. Democratically elected councillors on unitary bodies, who have spent countless time building and fighting for a financial commitment to Cardiff-Wales airport, are being told, "If you don't sell it, you certainly won't see the benefit of it afterwards." It will be placed under the dead hand of a residuary body which, without amendments Nos. 19, 20 and 21, will be under the control of the Secretary of State.

In the next few months, those councillors will not be able to wait for an appropriate time to undertake the task that the Secretary of State has talked about of bargaining, on a willing buyer, willing seller basis, with private capital through privatisation, a management buy-out or the process that is sometimes known as Prescottisation—an option that the Opposition's employment spokesman adumbrated as an alternative to privatisation before the last general election, whereby private capital is used in transport projects to ensure that they are not restricted by the public sector borrowing requirement.

Such a process cannot be undertaken if it is known that the project must be shovelled off to management within 12 months rather than accepting more appropriate timing, which might be in the interests of the buyer, the investor, if it was taking a minority stake, or the seller—the three democratically elected councils of Mid, West and South Glamorgan. That is unsatisfactory because it puts all the pressure on the three Glamorgans to get shot of the airport now, even though they would receive a better price if the threat of placing it under the control of the residuary body were removed.

If the Government persist in that intention and cannot be dissuaded, we will face the problem of their in effect nationalising Cardiff-Wales airport. The Government are opposed to nationalisation, but that will be the result if the Bill is enacted and the Secretary of State executes his threatened action, because a satisfactory price will not be obtained by the three present owners with a sword of Damocles hanging over them, and control will pass to the residuary body—all of whose members will be provided by the Secretary of State—from the airport's municipal owners.

That would probably be the first nationalisation that the Secretary of State for Wales has undertaken. When he got home that night and told his wife that he had nationalised an airport in Wales, the dog would bite him. We are trying to get him out of that difficulty by asking him not to make the residuary body completely responsible to him for its membership and the power to terminate or extend its life. He should make it clearly a transitional body by means of which powers may be passed from one group of democratically elected councils to another group of democratically elected councils. The transitional bodies should contain a majority of democratically elected councils. That would be the solution and it would enable

[Mr. Morgan]

the Secretary of State to avoid being bitten by his dog when he gets home after inadvertently nationalising Cardiff-Wales airport.

I ask the Secretary of State to give serious consideration to his future state of health, in relation to either his leg or his backside, and accept our amendments to the clauses dealing with the residuary body.

Mr. Rowlands: We cannot just nod through the clauses dealing with the residuary body without trying to discover a little more about the nature of the animal.

Mr. Morgan: The dog.

Mr. Rowlands: I do not know whether it will be of that character, but it will be an interesting animal.

The only precedents that we have for this type of body are the residuary bodies created under previous local government reorganisation in England on the break-up of the metropolitan authorities. I took the opportunity to look at the annual and final reports of a handful of residuary bodies to discover what sort of animal it is likely to be. I shall give the House the benefit of this modest degree of research.

Each of them turned out to be a huge property company. For example, the West Yorkshire organisation took over the powers of West Yorkshire metropolitan council. It took over about 28,000 deeds and 800 sites worth about £20 million, which it sold for £33 million, handing the distribution to the five district councils. At its peak, it employed 219 people, full time and part time.

That is one authority, dismantling one unit of local government and distributing the powers to five others. We are talking about a residuary body that will take over the surplus land of eight county councils and 36 district councils throughout the Principality. It will be one of the largest property companies in Wales. It will have enormous power. It will have the power to levy. However, one hopes that after the experience of the West Yorkshire organisation, the levies will be less than the distributed proceeds. The Secretary of State may nod his head. The reason for the success of the authorities at that time is that they coincided with the big property boom. The years 1986, 1987 and 1988 were a good time to get one's hands on property and then sell it off.

I do not think that the new residuary body will be operating in the same type of market. *[Interruption.]* I hope that it does not, because it would have a disastrous effect on inflation. I thought that the Government did not want a boom and bust economy. The Secretary of State seems to be backing a boom and bust economy. Is this another division between the Secretary of State and the Chancellor?

We are right to draw attention to the amazing character that the residuary body will have. It will be dealing with sensitive issues. I do not know whether, like the West Yorkshire authority and others, it will handle the pension funds for a time. I assume that it will not. I assume that it will take surplus revenues, as opposed to just surplus land and property, from every one of the existing district and county authorities. It will also have in its possession a large number of sensitive civic buildings that might be surplus to requirements. My hon. Friend the Member for Cardiff, West (Mr. Morgan) has mentioned one. I am thinking of the Mid Glamorgan county council office. Will that be taken over by a residuary body and sold off? Will we have a Greater London council re-run in the middle of Cathays park?

As I have said, we should not just nod this organisation through. I have a practical suggestion to make to the Secretary of State. I can see the need for an organisation, but I wonder why he needs to create something new.

My hon. Friend the Member for Cardiff, West has suggested one model that I suspect the Government will refuse. So why not use the Land Authority for Wales as the main body? If it is to be what I suspect, which is a five-year property company, why create a huge new organisation when there is in existence a rather successful and well-organised body? I should not really draw attention to it in case the Secretary of State decides to look at it. It was my creation and I am proud of it. Way back in 1974-75 it survived the abolition of the community land legislation. It has done a very useful job alongside the Welsh Development Agency. Why does not the Secretary of State use the Land Authority for Wales as the main vehicle for carrying out that function, given that, in many cases, it has created sensitive and good working relationships with local government? It will not be a completely new animal. I hope that the Secretary of State will accept the model suggested by my hon. Friend the Member for Cardiff, West, but, assuming that the Government do not accept that model, perhaps the Secretary of State would consider the practical solution of using the land authority.

We shall be very interested; we shall watch with great care and scrutinise the new body, which will be an enormous property company, handling large numbers of parcels of land from the four corners of the Principality, at a time when it may not be the easiest thing in the world to sell that land and achieve values such as those obtained by the residuary bodies created under previous legislation.

9.15 pm

What will be the method of redistribution? How are the proceeds to be redistributed? It was not difficult for the property of the West Yorkshire body to be distributed among five district councils. In this case, the residuary body will be acquiring properties from 36 councils and eight counties and distributing them among 21—I cannot remember the exact number—unitary authorities. Will the method of distribution be related to the location of the land and property? Will the proceeds stay in the community, or will there be some form of pooling of the resources and an equalisation of the distribution of proceeds? Those are big and serious issues of public policy and before we nod the body through, we ought to find out a little more about the Government's thinking on it.

Sir Wyn Roberts: We discussed the residuary body fairly extensively in Committee. The hon. Member for Cardiff, West (Mr. Morgan) argues that it is a quango, but it has many of the characteristics of a local authority for the simple reason that it has to take over local authority contracts, deeds and so on.

We certainly do not accept that it would be right for the new councils to appoint all the members of the residuary body or for there to be no limit on the number of members, as the amendments suggest, for the following reasons. Of course, the body will at times have to take difficult decisions on competing claims for an asset, for example, or on whether an asset is surplus. If all the members were appointed by councils, it could give rise to conflicts of interest. That is therefore one of our objections to the proposals in the amendments.

The residuary body will have limited functions and, indeed, a limited life. It will advise my right hon. Friend the Secretary of State on the transfer of property and the disposal of surplus assets. It would certainly make the body unwieldy if we had rather more than four to seven members, which we think would suffice. Having said that, we do not want the residuary body to be dominated by councillors, as proposed in the amendments. My right hon. Friend is open to suggestions—without commitment, of course—as to the membership. He is quite open to any suggestions from local authority associations or individual councillors, as well as from hon. Members.

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) raised a specific point about the disposal of assets, and especially of proceeds. The proceeds will go to the new local authorities which have taken over from those authorities whose assets have been sold. Therefore, in the hon. Gentleman's words, the proceeds of the assets will stay in the area served by the authority from which the assets have been sold.

Mr. Morgan: The Minister of State said that the residuary body had some of the characteristics of a local authority because it would oversee some local authority contracts, but he omitted to mention that it would have one characteristic which is definitely not shared by local authorities: none of its members will be elected. That is a significant distinction which he chose to slide over rather quickly. Perhaps an authority with no councillors is the ideal Tory authority of the future.

The Minister of State also said, incorrectly, that the residuary body would have a limited life. If he reads the small print, he will find that the Secretary of State can extend or shorten its life as he wishes. The Secretary of State has Henry VIII powers to do as he wishes. He could, for example, decide to wait for a property boom. The Minister implied that it could be wound up neatly and that the danger of putting so many powers in the hands of the Secretary of State was therefore far less significant than it really is. The Secretary of State's powers in respect of the residuary body are almost infinite. We are not happy about the way in which it will operate, despite the olive branch so characteristically offered by the Minister of State.

This may be my last opportunity to pay my respects to the remarkable actuarial parliamentary longevity of the Minister of State, so I do so now. His record for holding the same office without being sacked or promoted is similar to the record length of time it took for the Cardiff Bay Barrage Act 1993 to pass through both Houses of Parliament. He and I share the latter record, so we can both appear in the "Guinness Book of Records". The Minister is known throughout the land for his ability to plough indomitably through his briefs and, if he is retiring shortly, I am sure that he has been offered the life presidency of the Freedom from Dyslexia Association. We look forward to the Minister's return to commercial television, the world from which he came. He would be the ideal host for a game show such as "The Price is Right" in Welsh, but I am sure that he will find suitable cultural pursuits. In any event, we shall miss his contributions enormously.

Amendment negatived.

Amendments made: No. 87, in page 107, line 43, leave out from '17.' to end of line 45 and insert

'The Residuary Body shall be included among the authorities to which the Parliamentary Commissioner Act 1967 applies.'.

No. 88, in page 109, line 9, leave out 'enactments to' and insert 'circumstances in'.

No. 89, in page 109, line 38, leave out from '(1)(b))' to 'and' in line 40 and insert

'and 443 (local authority contributions to mortgage costs);'.

No. 90, in page 109, line 42, at end insert—

'. The Residuary Body shall be treated as a housing authority for the purposes of sections 444, 452 and 453 of the Housing Act 1985 (provision in connection with local authority mortgages).'.

No. 91, in page 110, line 1, leave out from '88)' to end of line 2 and insert

'(retention or resumption of land required for public purposes)'.

No. 92, in page 110, line 21, leave out 'Section 64A of' and insert

'Paragraph 64A of Schedule 2 to'.

No. 93, in page 110, line 21, after '1971' insert '(official pensions)'.—*[Mr. Redwood.]*

Schedule 15

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE 1972 ACT

Amendments made: No. 94, in page 118, line 11, leave out from beginning to end of line 12.

No. 95, in page 119, line 43, leave out from 'for' to 'whom' and insert

'"council of the district" substitute "local authority to'.

No. 96, in page 121, line 15, at end insert—

'. In section 255(1) (transfer of officers), for "27, 28 or 29" substitute "28, 29 or 29A".'.—*[Mr. Redwood.]*

Schedule 16

OTHER CONSEQUENTIAL AMENDMENTS

Amendments made: No. 97, in page 124, line 27, leave out from 'powers"' to end of line 28 and insert

'for "or county council" substitute ", county council or county borough council".'.

No. 98, in page 133, line 17, after second 'council' insert

'or a police authority established under section 3 of the Police Act 1964'.

No. 113, in page 142, line 46, at end insert—

'. In section 88(2) of that Act (councils to whom transport grants may be paid), after paragraph (a) insert—

"(aa) a county borough council,".'. —*[Mr. Redwood.]*

Schedule 17

SAVINGS AND TRANSITIONAL PROVISIONS

Amendment made: No. 114, in page 152, line 8, leave out 'that Act' and insert 'the Act of 1980'.—*[Mr. Redwood.]*

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Sir Wyn Roberts.]*

9.23 pm

Mr. Alex Carlile: The process leading to Third Reading began a long time ago, before the beginning of this parliamentary Session. Indeed, it was as long ago as 1992 that we heard from the then Secretary of State that local government in Wales was to be reformed. At that time, all parties shared a common purpose, which was to bring unitary local government to Wales. The then

[Mr. Alex Carlile]

Secretary of State made a declaration which, if not full of eastern promise, was certainly full of western promise. The declaration promised the people of Wales unitary local government based on natural communities. In the event, some natural communities, such as Merthyr Tydfil, Cardiganshire and Pembrokeshire, are to have unitary local government, but others are not.

The history of the Bill will be viewed with interest by Welsh political historians. There are not many serious broken promises in Welsh political history which one can nail and which leave one bemused when one analyses why they were broken. One of the most significant promises that has been broken in Welsh political history is what will be known as the Llanfechain promise: the then Secretary of State for Wales, the right hon. Member for Wirral, West (Mr. Hunt), promised without equivocation or ambiguity that there would be a unitary Montgomeryshire. We have never had an explanation as to why that promise was broken. We have never been told the history of how the change of mind came about. We have never been given a proper insight into the thought processes of the Welsh Office and its Ministers.

At the last gasp, the Local Government Commission for England—the Government appear to accept this—proposed that Rutlandshire, Huntingdonshire and six other authorities smaller than Montgomeryshire in population should have unitary authority status. That decision is entirely consistent with the Secretary of State's views as declared in a Conservative party conference speech, of which he reminded us yesterday.

Earlier, the Under-Secretary of State was asked why what is good enough for Rutlandshire, Clackmannanshire and Huntingdonshire was not good enough for traditional communities in Wales. He did not give us an answer. I hope that in the last breath of the Bill in this House we shall be given a ministerial answer to that question.

In 1992, I thought that we would see an improvement in local government in Wales based on consensus. I am grateful for the support that Montgomeryshire has received from right hon. and hon. Members in all parties: the two Tory rebels in Committee, the hon. Members for Brecon and Radnor (Mr. Evans) and for Halesowen and Stourbridge (Mr. Hawksley); the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), who has equal cause for complaint with myself; and the hon. Member for Caerphilly (Mr. Davies), who from an early stage made it clear that the Labour party would support unitary status for Montgomeryshire. Despite what was said earlier this evening, the hon. Member for Caerphilly has been entirely consistent in what he has said and done, and he deserves praise for that.

Unfortunately, those of us from Montgomeryshire, including the hon. Members for Meirionnydd Nant Conwy and for Brecon and Radnor, will leave the Bill with a deep sense of disappointment. There was a great opportunity to do what was originally promised, but that promise has been broken, leaving us with a sense of deep frustration. I can only express the fervent hope and expectation that one day in the not too distant future we shall return to this issue and I shall be here to see Montgomeryshire restored as a council.

9.28 pm

Mr. Martyn Jones (Clwyd, South-West): Sadly—or perhaps happily, in view of the late hour tonight—I was unable to be a member of the Committee. I had hoped that the Government would listen to all the members of the Committee representing Welsh seats on at least two major issues, the first being of importance to the whole of Wales and the second of great importance to the people of an area in my constituency, Llangollen.

The first issue is the lack of any provision for an all-Wales elected tier of government. The creation of unitary authorities makes almost no sense without a regional tier of government. Only a panoply of quangos of one sort or another can provide the services that need to be provided on a strategic basis. It is hardly surprising that the Government should set their face against any increase in democracy, however, as it is far easier to place stooges on quangos than to win elections in Wales, at any rate for their party.

The other issue that has not been dealt with is the placing of Llangollen in the new Denbighshire authority, against the wishes of its people as expressed in the referendum organised by Glyndwr council, of which Llangollen is a part. To set the record straight, the result of that referendum—without rounding up or down—was, on 68 per cent. of ballot slips returned, 58 per cent. in favour of Wrexham and only 42 per cent. in favour of Denbighshire. I remind the Government that they have been governing—I use the term loosely—for 15 years on much less than that majority, even if one measures the vote as a percentage of the total electorate, which seemed to be the Minister's response in Committee.

The Minister of State put forward another strange argument in Committee when he said:

> "As Llangollen and the other two areas belong to the old Denbighshire area which we are reviving and there is no clear majority against joining the new authority, we should let matters stand."—[*Official Report, Standing Committee A*, 21 April 1994; c. 155.]

The Minister was, to say the least, confused with that argument since Wrexham was also part of Denbighshire prior to 1974.

Hiding behind the decisions of the three community councils involved does not hold water either. The biggest —Llangollen town council—is now overwhelmingly in favour of Wrexham, and Llangollen rural district council's decision against was six to three, which is roughly the same proportion as Glyndwr's referendum of all residents. Llantysilio has at least been consistently opposed to Wrexham, although it clearly does not represent the views of those polled throughout Llangollen.

Glyndwr has also had a chequered history on the subject, voting only on the casting vote of the chairman to opt for Denbighshire and ignoring its referendum. The chief executive, Mr. Julian Parry, who now writes criticising my hon. Friend the Member for Wrexham (Dr. Marek) for some extremely minor errors of little consequence in Committee, and is militant in his ignorance of the referendum result, advised Glyndwr council as follows at its policy and finance committee on 23 June 1992:

> "Being south of the Llantysilio mountains/Horseshoe Pass, there is little community affinity or interaction between this area and north Glyndwr, local communities look to Wrexham as their main centre for most goods, services and employment, the existing pattern of communications and the geography/topography being important relevant factors. The 3

> town/community councils would prefer to remain part of a rural unitary authority rather than joining the new Wrexham unit. Whilst respecting this expressed preference, application of the relevant criteria results in your Sub-Committee recommending that this area has decidedly stronger relationships with Wrexham than with West Clwyd."

I could not have put it better myself and I wonder how Mr. Parry thinks that things have changed in the interim.

The people of Llangollen feel let down: they have voted and nothing has happened. Now we hear that the local government boundary commission for England is to mount an in-depth consultation with English residents over its review. Surely the same could be done for Wales. In any event, I hope that the anomaly of Llangollen can at least be put right, or the people of Llangollen will once again feel let down by this Government. Judging by the European election results in Wales, they feel let down in every other respect as well.

9.32 pm

Mr. Rowlands: I hope that the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) and the hon. and learned Member for Montgomery (Mr. Carlile) will not mind—we have shared their hurt and disappointment in Committee and on Report—if I say that at least the Bill is better in one respect than the Bill that started out. It is a better Bill in respect of schedule 1, part II, page 53 where, under the title "County Boroughs", the "district of Merthyr Tydfil" is listed. It would be wrong not to recognise the significance and importance of that change.

I first came to the House in 1966. As a young, green and inexperienced Parliamentary Under-Secretary of State in 1969, I wandered into the terrible world of local government reorganisation, when we attempted to introduce a unitary authority and found that we offended almost everyone on our own side, let alone the then Conservative Opposition Members. We therefore had to be man enough and sufficiently principled politicians to withdraw those proposals in 1969-70.

I was out of Parliament for a brief time, but returned at the tail end of a local government reorganisation measure to see the proud county borough status of Merthyr Tydfil removed by a Conservative Government with the Local Government Act 1972. It is a privilege to be still here 22 years later to get to my feet on Third Reading of the present Bill and talk about the restoration of the county borough of Merthyr Tydfil.

I must break it ever so gently to the Secretary of State that I suspect that he will not get too much of the electoral credit in Merthyr Tydfil and Rhymney for the change. On the basis of the enormous achievement of Glenys Kinnock in the European elections—which I am sure will be repeated in the national elections—I doubt whether the Secretary of State will reap too much electoral benefit from the change. Nevertheless, it would be churlish not to say that we were glad that he was a listening Secretary of State, at least in this respect. He has created a county borough which I believe will take the full opportunity of being a unitary authority and will regenerate and redevelop a community in a manner which I hope will be as colourful as in the past. Therefore, I can at least welcome that part of the Bill which recognised the spirit and character of the county borough of Merthyr Tydfil.

9.37 pm

Mr. Llwyd: First, may I echo the words of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands)? I know that it was a great deal of hard work by the hon. Gentleman which brought about the change of heart by the Government, and I congratulate him on his success. I wish that that could also have been the case for the hon. and learned Member for Montgomery (Mr. Carlile) and for myself, but it was not to be.

I also add my voice to that of the hon. Member for Cardiff, West (Mr. Morgan) in congratulating the Minister of State on his service to the House in his present capacity. I am sure that we will all join in congratulating him if it is true that this evening is his final evening at the Dispatch Box.

Sir Wyn Roberts: I thank the hon. Gentleman, and of course I relish the remarks of the hon. Member for Cardiff, West. Were not it for the matter of time and of delaying the House, I would have risen to respond to the hon. Gentleman. I must tell hon. Members that I have made no statement whatsoever about any impending retirement.

Mr. Llwyd: I do not wish to be niggardly, but I was going to couple that with a few remarks. I was going to say that, during his happy days of retirement—thinking of poetry and poets and possibly sitting on a river bank, fishing—the Minister might recall several questions which I put to him during discussions on the Bill which he has not yet answered.

On a serious note, the first flaw which my party sees in the Bill, as was also mentioned by the hon. Member for Clwyd, South-West (Mr. Jones), is that there is no strategic all-Wales tier of government. My party makes no pretence. It wishes to see a fully fledged Parliament in Wales with tax-raising and legislative powers. But even in the terms of the amendment which was the subject of the debate, it would have been a great step forward. It would have halted the proliferation of quangos in Wales and would have given accountability in a true sense.

It is a matter of some regret that the amendment was not carried in Committee or on Report, but it was the initial response of my party and it remains our main response. There should have been an all-Wales, truly democratic tier responsible for strategic matters in Wales.

There are numerous questions that have not been answered which I believe should have been. I am afraid that there are many flaws in the Bill. One that comes to mind is the absence of strategic planning, about which numerous bodies of professional and expert opinion are concerned. But I shall not go over the same old ground, as we have debated that matter this evening.

A further flaw may be the lack of cohesion, on unitary development plans, among unitary councils. Area committees may be a poisoned chalice—we do not know, and we are quite unsure about many matters to do with them.

I must say, with the greatest respect to the Minister, that earlier today I put to him five specific points about redundancy, TUPE and transfer generally. I have not had one reply. I regret that bitterly because at least one of those matters was put to me by council advisers in Wales. It was of the utmost importance that those matters should have received a reply and I deeply regret the fact that they have not.

Sir Wyn Roberts: I had a great deal of ground to cover, but I was under the impression that I had given at least a framework of an answer to the points which the hon. Gentleman raised. I shall, however, look carefully at what I said and, if points are still outstanding, I shall write to him.

Mr. Llwyd: I am grateful to the Minister. It may assist him to know that those points were raised towards the beginning of my speech. I am not trying to score points. I sincerely asked for answers and should be grateful for them in due course. Many thousands of people in Wales are extremely concerned about the position.

I still have misgivings about voluntary organisations, which have lobbied hard and are concerned about their futures under the present set-up. I moved an amendment in Committee to deal with that point and I am far from assured that their futures are guaranteed in any shape or form. Likewise, many people have contacted hon. Members on both sides of the House about support for the arts. There is little comfort for them, either.

Earlier today, I mentioned the role of community councils. I was reassured in part by the Under-Secretary of State and I sincerely hope that, in due course, the guidance to unitary authorities will include specific provision on the matters incorporated in an earlier amendment.

I feel extremely sad this evening at the loss of Meirionnydd, where seven centuries of government have gone by the board. The same applies to Montgomery, with which we are good neighbours. Both are proud communities which respect their traditions and have a great deal of cultural integrity. I am sure that they will be grossly disappointed at what has been transacted this evening.

I have said before and shall say briefly again that the Bill does not have the consensus of the Welsh people. In those circumstances, it must be wrong. To be workable, it must have the consensus of the people of Wales. After all, it is designed to deliver services to them. It does not have that consensus for many reasons, some of which I mentioned earlier. The Bill is flawed and I echo the words of the hon. and learned Member for Montgomery: I honestly believe that we shall shortly be back here discussing local government again.

I conclude with a point of particular concern to me—the maxim, "Tra mor tra Meirion", which will doubtless be referred to again. We in Meirionnydd have stood the test of time and I shall stand up in this Parliament or, I hope, one nearer home, and look at the matter anew in the not too distant future. The people of Meirionnydd will not allow 700 years of their proud history to be done away with at the whim of a Conservative Government.

9.43 pm

Mr. Ron Davies: You, Mr. Deputy Speaker, will be interested in my first point. The Minister of State has vigorously denied the comment in this morning's *Western Mail* prophesying his retirement. My hon. Friend the Member for Cardiff, West (Mr. Morgan) has penned a word for him, which the Minister of State, even if no one else on the Government Bench, will appreciate:

> "Mae Wyn wedi mynd ond ddim wedi trigo; dim ffws, dim ffwdan, heb ddagrau, heb ei gof."

It means, "For the very good of the Minister; the Minister is going, no fuss, no fuss."

If the Minister is to retire, we shall miss him for his personal qualities and his decisive approach in Committee. There were many occasions in Committee when he was having difficulty discussing the arguments that we made to him and he invariably started his remarks by saying, "Well, I should think", or "Well, I would imagine". He had a couple of variations. He sometimes used to say, "Well, off the top of my head", or, "I will consider that point and reply in a moment." He never did reply, of course. There was one marvellous moment when we were debating what has become known as the "Powys pudding". When he was referring to the Government scheme for area committees, he said, "Those are the areas that we want to pacify." He was referring to those five districts of mid-Wales.

I take the opportunity to thank my Front-Bench colleagues, my hon. Friends the Members for Cardiff, West (Mr. Morgan) and for Tor hyphen faen, as it has now become known as a result of the passage of the Bill. I also thank my Back-Bench colleagues, especially my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) who, at an early stage in the proceedings, managed to achieve a richly deserved prize as a result of the diligent campaign that he waged on behalf of his town of Merthyr Tydfil. We all appreciate that he was not exactly striving for his political life. He has something in the order of a 30,000 majority and, dare I say it, even if he had lost the battle he would still have won his seat, although with a perhaps slightly reduced majority, at the next general election.

We are on Third Reading. It is the end of the Commons stage of the Bill. There is only one conclusion that I can reach, however: it is an unacceptable Bill. It has been passed by what I consider to be a completely unsatisfactory Commons procedure and it has been piloted—if that does not give rise to a contradiction in terms—by Ministers of whom the best that I can say is that they were wise enough not to stray too far from their civil service briefs.

The central criticism of the Bill is that it did not create a Welsh assembly and our own tier of government. That, I believe, must be the starting point of reform of Welsh government.

The Bill was not based on any principle. There was no meaningful consultation with the people of Wales or with Welsh local government. The Bill certainly did not build on natural communities, as the hon. and learned Member for Montgomery (Mr. Carlile) said. The local authority structures, the boundaries and numbers, were arbitrary, taken out of the air, changed from week to week, from year to year. Councils expressed the clearest outrage against the Bill, although the Parliamentary Under-Secretary of State managed to say, "I am right when I say that we have received few objections to our proposals for Rhondda-Cynon-Taff". All that I can say is that he could not have listened to what we were saying. There was absolute outrage in those communities, yet the Minister has ignored them. There has been, as late as last night, a complete rejection of our new clause 11, which would have restored some element of democracy to local government reform.

The Bill is a shambles. It took years in preparation, with all the consultation, yet amendments have fluttered down on it like confetti. There were dozens of amendments in the Lords and what seemed like hundreds of Government amendments in Committee. We have had dozens of amendments on Report; whole clauses have been put into the Bill in the past 24 hours; whole clauses have been taken out of the Bill, almost at random. We have had tonight a massive change in the Government's policy on area committees, reducing by 50 per cent. the threshold that was necessary. Whatever else it does, it does not show that this is a thought-out piece of legislation, designed to improve government in Wales.

At the end, there are enormous areas of uncertainty. Area committees and staff transfer are unclear. There is an enormous centralisation of power in the Welsh Office—44 new powers are conveyed to the Secretary of State. We have a new super-quango in the residuary body. The Bill is not for local government; it undermines local government and it has enormous implications for service delivery. It was opposed by 32 of 36 Welsh Members of Parliament.

I am grateful to the hon. and learned Member for Montgomery for his words of thanks to myself and my colleagues. If it has done one thing—and the Government should take note of this—the Bill has ensured that Members of Parliament representing Wales have started to identify a common enemy. We, I think, have learnt that we have a common interest, and a common interest that is not shared by the Conservative party. I hope that that kernel of trust and common working will bear greater fruit in the years to come.

The Bill has been carried on the basis of English Members of Parliament, and of Standing Order No. 86. It was a packed Committee, but the only meaningful change it made has been reversed on the Floor of the House tonight. What price democracy?

The Bill will be costly and it will cause great uncertainty. When it is enacted, all Opposition Members must ensure that it becomes the starting point of a process of reform of Welsh local government, not the end. We will need a new settlement for local government. We will also need a new contract between local government and central Government, which must be based on removing the shackles on local government, of restoring its independence, of recognising the plurality that exists in our public institutions and of understanding that local government exists both to represent the people of its areas and to improve the quality of life.

Above all, we must restore those things that are lacking in Welsh public life—openness and honesty. There must be confidence in the view that there can be democratic control of public affairs and that people can be trusted to run not only their own councils but their own country.

9.50 pm

Mr. Redwood: I thank all those who have contributed to the making of the Bill—hon. Members, local councillors and their officers, organisations and individual members of the public. A great deal of attention has been paid to the Bill and it is the better for that. Special thanks go to my right hon. Friend the Minister of State and my hon. Friend the Under-Secretary for piloting the Bill through long hours of debate in Committee.

Local government should be government for local people by local people. The crucial decisions will be taken by the new shadow authorities that will be elected next May. Many of the points that Opposition Members wanted clarified are matters that should be decided by local people and we are giving them those decision-making powers. I believe that they have every chance of doing a good job.

The success of the venture rests on councillors and officers, old and new. I have concluded that the elections should be on 4 May 1995, the usual first Thursday in May for local elections and the day on which, in other circumstances, elections to the existing authorities would have taken place. I believe that that will be welcomed by the political parties in Wales, which I have consulted on the issue.

The new authorities will need to recruit their chief officers as soon as possible to plan for the future. They will also need to establish small planning teams to prepare the new authorities' budgets and draw up their service delivery plans. Those people can be seconded from existing local authorities, which will no longer have the same need to plan for the future. Their service plans will set out what the authorities will do.

In this evening's debate we have seen again just how short of ideas and confidence in its own views the Labour party in Wales has become. Today's decision of the hon. Member for Caerphilly (Mr. Davies) to nominate the hon. Member for Kingston upon Hull, East (Mr. Prescott) and then to vote for the hon. Member for Sedgefield (Mr. Blair) for the leadership of the Labour party—

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I do not know what the right hon. Gentleman's latter remarks have to do with Third Reading of the Bill.

Mr. Redwood: Those remarks are extremely important because it was a foolish decision by the hon. Member for Caerphilly. It means that the policies that he has been advancing may be ditched by the new leader. It certainly means that the person whose job is on the line at the moment is the hon. Gentleman. He backed two horses in a three-horse race and hoped that the two horses would not notice that he had backed each of them. What will he say to the right hon. Member for Derby, South (Mrs. Beckett) when he next meets her—

Mr. Deputy Speaker: Order. When I last intervened, I meant what I said. Will the right hon. Gentleman now get back to Third Reading of the Bill?

Mr. Redwood: I shall try to ensure that I meet your wishes, Mr. Deputy Speaker.

The Labour party's proposals have centred round the creation of an unnecessary tier of government in Wales —the assembly. Throughout our debates Labour Members have failed to come clean on whether they support their friends in the counties who want fewer, larger strategic unitary authorities, or their friends in the districts who want more, smaller unitaries. The hon. Member for Caerphilly never managed to assert his discipline over his own party around a single clear proposal for local government in Wales. Labour Members have attacked the Government's proposals from a whole range of contradictory directions in an attempt to conceal the absence of any thought-through alternative. They have the audacity to say in the House that they dislike centralising powers and duties in the Welsh Office, when time and again in Committee and on the Floor of the House they have demanded that I take more centralising powers and give greater clarity over things which local government should decide for itself.

Tonight we have seen a Labour party that could not even deliver a vote on the main boundary issue that was fiercely debated in Committee; a Labour party that could not keep its troops here for this Welsh business; a Labour party that has clearly decided that Wales does not matter or can be taken for granted. The vote on Powys shows that not even all the Welsh Labour Members stayed for that critical debate and Labour's total vote fell below the number of Welsh Labour Members of Parliament. What a disgrace

[Mr. Redwood]

when we are told that this is a critical piece of legislation and one that the Labour party should have modified or removed from the statute book. The Labour party has failed tonight in a big way.

We shall carry our Bill. It is good legislation for Wales and it will produce much better local government for Wales. The Opposition are there in tatters behind the hon. Member for Caerphilly, but perhaps not for much longer because he has failed to deliver the vote and failed to deliver the goods and he has no idea how he would like local government in Wales to be conducted.

We have a vision, a view of better local government in Wales. I commend it to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 117, Noes 20.

Division No. 264] **[9.55 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Blackburn, Dr John G.
Booth, Hartley
Boswell, Tim
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Browning, Mrs. Angela
Butler, Peter
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Clappison, James
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Davies, Quentin *(Stamford)*
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Stephr
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Evans, Nigel *(Ribble Valley)*
Evennett, David
Faber, David
Fabricant, Michael
Fishburn, Dudley
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Harris, David
Heald, Oliver
Hendry, Charles
Howarth, Alan *(Strat'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
Kilfedder, Sir James
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Legg, Barry
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moss, Malcolm
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Onslow, Rt Hon Sir Cranley
Page, Richard
Patnick, Irvine
Porter, David *(Waveney)*
Redwood, Rt Hon John
Richards, Rod
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Spencer, Sir Derek
Sproat, Iain
Stephen, Michael
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Trend, Michael
Twinn, Dr Ian
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Willetts, David
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Bowen Wells.

NOES

Barnes, Harry
Bayley, Hugh
Beckett, Rt Hon Margaret
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Dafis, Cynog
Davies, Ron *(Caerphilly)*
Flynn, Paul
Foster, Don *(Bath)*
Harvey, Nick
Jones, Nigel *(Cheltenham)*
Kirkwood, Archy
Llwyd, Elfyn
Mackinlay, Andrew
Madden, Max
Morgan, Rhodri
Powell, Ray *(Ogmore)*
Rendel, David
Skinner, Dennis
Wigley, Dafydd

Tellers for the Noes:
Mr. Simon Hughes and
Mr. Ieuan Wyn Jones.

Question accordingly agreed to.

Bill read the Third time, and passed, with amendments.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith pursuant to Standing Order No. 102(9) (European Standing Committees),

INTRA-COMMUNITY TRADE IN BOVINE ANIMALS AND SWINE

That this House takes note of European Community Document No. 4168/94, and the Supplementary Explanatory Memorandum submitted by the Minister of Agriculture, Fisheries and Food on 6th May, relating to intra-community trade in bovine animals and swine; and supports the Government's objective of ensuring that the rules protect the health status of the United Kingdom, and the Community as a whole, and sustain the United Kingdom's existing export market.

1992 BUDGET DISCHARGE AND FRAUD IN THE COMMUNITY

That this House takes note of the unnumbered Explanatory Memorandum submitted by HM Treasury on 16th March 1994, relating to the discharge of the general budget of the European Communities for the financial year 1992 and of European Community Documents Nos. 6214/94, the Commission's report on the fight against fraud in the Community in 1993, and 6214/94 ADDI, the Commission's report on its anti-fraud strategy and work programme for 1994; and strongly supports the Government's policy of securing sound financial management in the Community, including combating fraud against the Community's financial interests.—[*Mr. Arbuthnot.*]

Question agreed to.

Church of England (General Synod) (Measures)

10.7 pm

Mr. Michael Alison (Selby)(Second Church Estates Commissioner, Representing Church Commissioners): I beg to move,

> That the Care of Cathedrals (Supplementary Provisions) Measure, passed by the General Synod of the Church of England be presented to Her Majesty for Her Royal Assent in the form in which the said Measure was laid before Parliament.

It may be recalled that when I moved a similar motion in 1990 in connection with the Care of Cathedrals Measure, I gave an undertaking to the House that a supplementary Measure would be brought before Parliament containing enforcement provisions relating to the procedures for the approval of works to cathedrals.

Both the Government and the national amenity societies were of the opinion that there should be statutory provisions preventing unauthorised works to a cathedral fabric, or, where such works had occurred, provisions requiring the fabric to be made good or reinstated without delay. The Care of Churches and Ecclesiastical Jurisdiction Measure, which the House approved in 1991, contained enforcement provisions in respect of parish churches. Undertakings were given that similar provisions would be included in a supplementary Measure for cathedrals. The Measure before the House tonight honours that undertaking.

Mr. Simon Hughes (Southwark and Bermondsey): I am sorry to interrupt the right hon. Gentleman so early in his speech, but I have a specific question that he may be able to answer. Can he tell us whether churches that are neither parish churches nor cathedrals are covered in either this or the previous legislation? Bath abbey, in the constituency of my hon. Friend the Member for Bath (Mr. Foster), is one such church, but there are others—important national churches. As far as I can see, they are not covered in the Measure, but they obviously need to be covered in legislation of some sort.

Mr. Alison: This may be a very short debate. If I cannot give the hon. Gentleman the relevant information at the end, I shall in any case ensure that he receives it.

As I was saying, the Measure honours the undertaking that I gave the House in 1991. It builds on the so-called visitatorial powers of the diocesan bishop which already exist in relation to his cathedral. The cathedral church is, of course, the seat of the relevant bishop. The Measure also includes a power for the court of the vicar-general of the province to issue injunctions or make restoration orders.

The enforcement provisions feature a two-stage procedure. First, the bishop will seek to remedy any apparent contravention of the Care of Cathedrals Measure 1990 by private interview and, if he considers it appropriate, take action through a special visitation. Only if those procedures are unsuccessful will proceedings be instituted for the issuing of an injunction or the making of a restoration order in the court of the vicar-general of the province.

There has been further consultation with deans and provosts, and with cathedral administrative bodies, concerning the Measure. The general view was that enforcement provisions should be provided for, although the cathedral authorities do not believe that they would themselves be likely knowingly to contravene the provisions of the 1990 Measure. The Department of National Heritage, English Heritage and the Cathedrals Fabric Commission for England have also been consulted about the provisions, and are content with them. The Government have continued to attach importance to the legislation, and have taken an active role in pursuing the proposals. I am particularly glad of the supporting presence of my hon. Friend the Parliamentary Under-Secretary of State for National Heritage to receive my appreciation and commendation of the interest that his Department has taken in the report.

Hon. Members will not be surprised to learn, in these contentious days for the Church of England, that there are some financial considerations to be taken into account. There has been consultation with the Church Commissioners and the central board of finance of the Church of England about the financial implications of the Measure.

The Church Commissioners' involvement arises because they have a general responsibility in respect of the expenses of bishops, including legal expenses. Under section 4 of the Measure, where legal proceedings are to be instituted against a cathedral authority the bishop must first inform the Commissioners, who will decide whether they would be prepared to meet some or all of the bishops' costs and expenses in respect of those proceedings. The provision builds on the statutory discretion that the commissioners already have in deciding whether to contribute to a bishop's costs in court proceedings under the Ecclesiastical Jurisdiction Measure 1963. The commissioners and the central board are content with the proposed arrangements.

The Measure was given general approval in November 1992, and then went to a revision committee of the General Synod, which made a number of amendments. Final approval took place at the November 1993 group of sessions of the Synod, where the Measure was approved in all three Houses with only one vote against. As will be seen from the report of our own in-house Ecclesiastical Committee, that Committee is of the opinion that the Measure is expedient.

10.14 pm

Mr. Peter Hardy (Wentworth): The House is indebted to the right hon. Member for Selby (Mr. Alison), who presented the Measure clearly and persuasively explained its nature. I do not think that any hon. Member will find it objectionable.

In this debate, we miss our former colleague, the late Bob Cryer, who, while not a church man, took a sensitive interest in church buildings and would have taken part in the debate if only to point out, as was his wont, that there are buildings of fine quality that are not part of the established Church. Nevertheless, he would have welcomed the Measure as it helps to maintain our generation's commitment to maintain that part of our heritage and to remedy the inadequacies of the previous arrangement and as it reflects the overwhelming, if not unanimous, view of the Ecclesiastical Committee, which deemed it to be expedient.

We are debating the Anglican cathedrals of England. The Measure should be passed to maintain the fabric of the Church and to prevent unauthorised and distasteful developments. Without the Measure, in these days when

[Mr. Peter Hardy]

market philosophies are all, it perhaps would be only a matter of time before someone equipped an Anglican cathedral with neon lights and sought to attract the attention of those who devote money to current fads, even if they are distasteful.

Prudence requires that a sensible, historically appropriate approach be taken to these buildings, which are not only important to the Church; some of our cathedrals are among the greatest buildings on the planet and our generation must understand that it has an obligation to maintain them.

Some cathedrals are of ancient origin and owe their construction to those who wished to express their religious beliefs and to worship and to offer gifts to God. The glories of our cathedrals were created by ordinary people, the skilled craftsmen of the day who toiled hard with few labour-saving devices to assist them. One would like to think that their motivation was not simply to practise the skills of their craft. They created buildings of enormous merit and the House should assist the Church to ensure their future.

Many of our cathedrals have stood for almost a millennium and deserve to stand throughout the next one. The House is right, therefore, to ensure that wise legislation is passed because the Church has much to do to serve the present as well as to maintain the glories of the past. I should like to think that the House will have sympathy with the Church in ensuring that its priorities are to those who work for it and who seek to represent its ideals in a society that is becoming increasingly pagan.

Cathedrals allow us to enjoy a little regional pride. I am delighted that my hon. Friend the Member for York (Mr. Bayley) is in his place. As a Yorkshire Member—I hope that, as another Yorkshire Member, the right hon. Member for Selby will agree—I believe that York is infinitely superior to Canterbury. It would be invidious, however, to mention York without mentioning Salisbury. If one mentions Salisbury, one must mention Durham and the cathedral at Lincoln, which has enormous architectural and historic significance. One could give other examples. All are important and enormously advantageous in providing an inspiration for our country, and we have an obligation not merely to serve the past but to maintain this vital part of our architectural, historic and religious inheritance.

In order to serve that heritage I hope that the House will approve the Measure. I hope that the reasons advanced by the right hon. Member for Selby were sufficiently persuasive to convince the House that the Measure is right and thus justify the decision of the Ecclesiastical Committee that it be deemed expedient.

10.19 pm

Mr. Hugh Bayley (York): I, too, found the contribution of my neighbour, the right hon. Member for Selby (Mr. Alison), to be a clear exposition of the need for this Measure. Although I know that it is not his debate, I am pleased to see in his place the Parliamentary Under-Secretary of State for National Heritage. If he chooses to make a contribution to the debate, I hope that he will respond to my concern about the cathedral repair grant scheme which, to a large extent, this Measure is there to regulate and enforce.

Perhaps uncharacteristically from the Opposition Benches, I should like to congratulate the Government on introducing the cathedral repair grant scheme a little over three years ago. I have consulted the Very Reverend John Southgate, the Dean of York, who until recently was the chairman of the Association of English Cathedrals, about how the repair grant has worked in practice. He has nothing but praise for the scheme. He said that English Heritage has handled it with care. As chairman of the committee, he has not received a single complaint and he pays special tribute to Jenny Page and Richard Halsey from English Heritage who have administered the scheme.

As my hon. Friend the Member for Wentworth (Mr. Hardy) said, our cathedrals are important as places of worship and as centres of excellence in music. Some of them are still important as centres of scholarship and learning. The library at York Minster is now the biggest privately owned theological library and the dean and chapter spend a great deal of money each year ensuring that the stock of books is replenished.

Along with parish churches, historic cathedrals are a unique part of our national heritage. They are large buildings of great age which are still in use today for the same purpose for which they were originally built. As my hon. Friend the Member for Wentworth said, they are monuments to English craftsmanship through the ages. It is for those reasons—both Christian and secular—that they attract so much love and affection from the people of our country. York Minster attracts 2.25 million visitors a year. That is more than the Tower of London and considerably more than the Tate gallery.

Until three years ago when the repair grant scheme was introduced, the cathedrals were unique in another respect. They were the only great historic buildings that were not able to apply for grants for their repair, restoration and conservation. Perhaps I should declare an interest as York Minster is a grateful recipient of money from the scheme. This year it received just under £250,000 for work on the north-west tower. The grant does not replace local fund-raising, but it is an important supplement to it.

The contribution made by English Heritage to York Minster is towards a £3.5 million scheme of restoration for the south-west and north-west towers and the south face of the Minster. That restoration work will take seven to eight years to complete. There is the rub. The restoration will continue for many years to come, but the cathedral repair grant scheme is due to end at the end of next year, after it has run for five years. I am not making a special case for York Minster, because its applications should be judged against the needs of other cathedrals. Nor am I asking for increased annual spending on repair, restoration and conservation of cathedrals.

English Heritage is carrying out a needs assessment to assess the likely future repair costs faced by our great cathedrals. It will make a judgment on whether the current level of funding is appropriate or not and I am happy to leave that decision in its hands and to consider it when its report is published. However, I am asking for cathedrals to be treated in a similar way—not better and not worse—to secular buildings and parish churches. That means that the repair grant scheme must continue beyond the end of the next financial year because schemes to assist the conservation and repair of other secular buildings and parish churches will continue after that time.

One of the great benefits of the scheme has been that those responsible for the fabric of cathedrals have started to plan their repair and restoration programmes ahead, instead of waiting for a crisis, such as the foundations to give way or the roof to cave in, to respond. That important forward planning could and would be lost if the repair grant scheme was to come to an end. I shall give briefly a couple of examples.

At St. Albans, a grant was given for the repair of the central tower. When they started the work, they found that the need for repair and the cost of the scheme was much greater than had originally been estimated. English Heritage was able to help by transferring a grant, which was scheduled for a future year for repairs to the nave, to finish off the repairs to the central tower. That ability to roll funding forward from one year to another will be lost if the repair grant scheme comes to an end. What would have happened if the work on the tower had been commenced next year, in the last year of the scheme? The scaffolding would have been up, the work would have commenced, the bills would have been rolling in and there would not have been a scheme to which to apply in future years.

Ripon, too, faced a similar hiatus when a contractor who was due to come on site suddenly let it down. Since the scheme had not reached its final year, English Heritage was able to roll the funding forward. The same happened at Salisbury when a new architect was appointed.

I am happy to congratulate the Government on introducing the scheme. It is a good scheme and it has worked well, but the question I put to Minister is, will the good work continue? If he speaks tonight, can he give an assurance to the House that the cathedral repair grant scheme will be rolled forward at least for a further five years?

10.28 pm

Mr. Simon Hughes (Southwark and Bermondsey): Like other hon. Members who have spoken, I welcome the Measure. It would be churlish not to, since, as the right hon. Member for Selby (Mr. Alison) rightly said, it had only one opponent when it went through the Synod. Incidentally, we have not been given the reason why the one person opposed it, but that certainly meant that it was a far less controversial Measure at all stages than many other things which go through the Synod. I note in passing that, today, there was another close vote in the Anglican Church, although not in England. The Church of Scotland voted to agree to women being ordained as priests, which is a decision that I welcome. It has followed the English example, which is, in this case, a better example than that of the Welsh, although the Welsh normally set very good examples.

I have three comments to make and they are made generally, although, of course, my interest is in Southwark cathedral; a beautiful cathedral and the cathedral for the south bank of our capital city. My hon. Friends, including my hon. Friends the Members for Truro (Mr. Taylor) and for Bath (Mr. Foster), have expressed their interest, too. I believe that the question that I posed earlier related to Bath, but there are certainly other buildings, such as Westminster abbey, which are neither one thing nor the other; neither parish churches nor cathedrals, which I assume are covered. That is why I raised the point with the right hon. Gentleman. However, it would be good to hear that, after the Measure is approved, Anglican church buildings are covered, which was its purpose.

I pay tribute to all those who do so such an excellent job in looking after our inheritance, which is what the cathedrals of England are. They are this country's great treasures, and some people give their lives to looking after them. I also pay a specific and timely tribute. My diocese is about to acknowledge the retirement of the Very Reverend David Edwards, who was at Westminster abbey and has had a distinguished career outside and in the House.

David Edwards retires formally at the end of August, but a farewell service is being held next week. Many people in this place remember with affection his time here. He has made great contributions to the Church of England, academically and in his writings as a historian, and in his last post he looked after a beautiful building and made it a vibrant centre for the church and non-church community. People certainly value cathedrals for their beauty and the tranquillity that they offer, but also because they play a role in the wider community.

I wish simply to put on record a second point, but it may elicit an answer. It appears that the Measure provides powers to deal with cathedral administrations that fail to look after their buildings properly. That is a good thing, but my concern is that sometimes it is not, technically speaking, the fabric of the buildings which, for understandable but mistaken motives, administrations may decide to treat wrongly.

I come from Hereford. One of the most controversial incidents for the Church of England and its cathedrals in the past decade was when the dean and chapter of Hereford cathedral decided to sell Mappa Mundi. Technically, it is not part of the fabric of the cathedral, but it is a Hereford cathedral creature. It was made in Hereford and was intended to be in Hereford since the 13th century. It would have been sold had there not been an outcry, and a building is now being constructed in Hereford to accommodate it properly. We have a duty to ensure that the fabric of our cathedrals is looked after by a policing management, but those of us who are equally concerned about the treasures in the cathedrals must find a mechanism to ensure that there is no danger of our suffering from the mistaken short-termism that drove the dean and chapter of Hereford to make a wrong but understandable decision. The national outcry proved how wrong that decision was.

I echo the sentiments expressed by the hon. Members for Wentworth (Mr. Hardy) and for York (Mr. Bayley) about the beautiful cathedrals in Yorkshire. I am grateful that the Minister and his Department have become increasingly sensitive to the notion that it is vital for the state to take its share of responsibility for cathedrals. If it does not, we risk being unbiblical. We risk charging people to enter our cathedrals. In many places, that step is now unacceptably close.

It appears to be assumed that anyone going into a cathedral does so as a tourist and should therefore pay. Of course, the upkeep of cathedrals costs a great deal, and members of the church worldwide may feel an obligation to contribute if they can. However, increasingly the impression is being given that a person entering a cathedral has an obligation to spend money. That is entirely unacceptable, and I hope that the tendency will be resisted.

It is also unacceptable when the commercialism of cathedral merchandising operations trespasses increasingly on our worship and fails to remain well and truly outside the building. I seem to remember that Jesus had very clear views about money-changing in the temple. We are not far

[Mr. Simon Hughes]

from that in many of our cathedrals and cathedral premises now. I have made that view known with regard to my own cathedral, where I think the buying and selling should be done further away from the centre of the building, and not simply in the side aisle.

My point is that if the fabric and maintenance of cathedrals are funded properly, the pressure to be commercial can be resisted. If there is no security of funding, they are often driven, because of the need to maintain the fabric and contents, to do things that I think are increasingly inconsistent with their role as mother churches of the diocese for all the people—native and visitors—of the churches of England. I hope, therefore, that the Church will be continually vigilant and the state regularly generous, and that as a result we can have security for our buildings so that they can continue to serve the purpose for which they were so beautifully built.

10.36 pm

Mr. Alison: With the leave of the House, I shall reply to the debate. I am grateful for the constructive and warm welcome which my colleagues have given to this limited but valuable Measure.

I appreciate the remarks made by my neighbour, the hon. Member for York (Mr. Bayley), about the contribution that the Government—public finance—have made, and will continue to make, towards York Minister. My hon. Friend the Parliamentary Under-Secretary of State, who is on the Front Bench tonight, probably hesitated to intervene in the debate because the issues raised by the hon. Gentleman are not strictly within the ambit of the Measure—he might even be out of order if he attempted to intervene from the Front Bench. However, I am sure that he will have heard the remarks made and the queries raised by the hon. Gentleman. One of us will communicate with him specifically to respond to the points made.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) made a couple of points. I promised that I would try to answer his first intervention. Despite the title that it bears, Bath abbey is a parish church and therefore is covered by the care of churches legislation. All other churches which are consecrated as parish churches are likewise covered by the existing church facilities which we debated and passed in 1991. Churches that are not strictly consecrated but are so-called dedicated—that could even include chapels in hospitals and such things—are subject to the faculty jurisdiction by the direction of the bishop. That just about encompasses all conceivable sorts of church buildings which might be relevant to the debate.

The hon. Gentleman asked about the Mappa Mundi, for example. I am glad to be able to tell him that the control mechanism in the Care of Cathedrals Measure which he and I debated and which was passed in 1990 covers not only fabric changes but the disposal by sale or otherwise of outstanding movables, to give them their technical term. So Mappa Mundi is subject to enforcement of that Measure.

Against that background, I hope that the House will agree to give a fair wind to the Measure tonight.

Question put and agreed to.

Resolved,

That the Care of Cathedrals (Supplementary Provisions) Measure, passed by the General Synod of the Church of England, be presented to Her Majesty for Her Royal Assent in the form in which the said Measure was laid before Parliament.

Metropolitan Police (Firearms)

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Andrew Mitchell.]*

10.38 pm

Mr. Cyril D. Townsend (Bexleyheath): I am grateful for this opportunity to raise the important and topical subject of the arming of the Metropolitan police. I thank the Parliamentary Under-Secretary of State for coming along tonight to give the Government's response. I am sure that his considered comments will create considerable interest.

Last month, Sir Paul Condon—the House will wish to congratulate the distinguished Metropolitan Police Commissioner on his knighthood—announced that his officers will in the future openly wear handguns on London streets in certain circumstances. I have carefully read through the resulting press coverage of that announcement, and I am astonished how inaccurate and exaggerated much of it was.

What the Home Secretary in fact agreed was that officers in armed response vehicles—ARVs—in London can wear their side arms in holsters at all times. Previously, they armed only when they reached the incident to which they had been called. They needed the permission of a high-ranking officer, who in practice had to be contacted via his bleeper at all hours of the day or night, before removing guns from a secure metal box in their car.

In London, officers in ARVs are dedicated to attending incidents in which firearms are being or may be used. Clearly those side arms will not be visible while jerseys are worn, but when officers are in shirt sleeves only, they will become visible in their holsters.

That is a comparatively small step, and is by no means unreasonable. The purpose of our brief debate, however, is to consider the arming of the Metropolitan police in a much wider context and over a longer time. Here I must express a long-held sense of unease, which I am confident that I share with many of my constituents in Bexleyheath, Welling and Barnehurst.

I will put my case in simple terms. I claim that during the past 20 years more weapons have been placed in police armouries. I claim that more automatic weapons have been given to the police, some with astonishingly high rates of fire. I claim that, if that trend continues during the next 20 years, the British police service—the Met traditionally sets the pace—will become much more like many of its European counterparts and many more police officers will carry weapons on duty, and perhaps even off duty as happens abroad. I claim that there is a certain ratchet effect. The decisions go in one direction, and it is very seldom reversed. Finally, I claim that that long-term trend, which has involved a number of Commissioners and Home Secretaries and is probably not supported by a majority of Members of Parliament representing London, is almost certainly not proceeding with the blessing of those people who pay towards the funding of the Metropolitan police, namely the people of London.

There are two basic approaches to the police carrying guns. There is that adopted in most states of the United States, where the police carry guns as a matter of routine and where many police patrols have considerable fire power at their disposal. I suggest that it becomes normal in such circumstances to cock guns and not to hesitate too long before firing them. Then there is the approach adopted in Britain and a few other countries, where the police go about their duties unarmed except for a truncheon. There are hosts of arguments to be deployed, but at the end of the day I am fiercely proud of the British approach and I speak tonight in favour of its being continued and not undermined.

There must be—and Parliament has seen to it that there are—very heavy penalties for criminals who go about their business carrying knives and guns. It follows that the courts must not hesitate to use the powers that they have been given when the facts have been properly established. That must be the starting point, rather than attempting to match weapon for weapon. At the same time, it is vital that it gets harder—not easier, as is the case now—for criminals to obtain guns in the Greater London area. There must be a crack-down on the number of arms imported into the United Kingdom. I am well aware how difficult that is to achieve. There must be a determined drive to find the weapons which are held illegally in our major cities, and they must be seized and destroyed. Perhaps more amnesties are called for. I suggest that at present too many firearms certificates are issued. In 1992, the Metropolitan police issued 9,427. I believe that they are far too easy to obtain.

Some years ago, I applied for a shotgun licence at a police station a few hundred yards from here at the request of a national newspaper. I was not examined as to why I needed a shotgun while living in London.

Winston Churchill wrote a wonderful description of the battle of Sidney street in the east end of London when he was Home Secretary. My hon. Friends may recall the superb remark of Balfour after Churchill was photographed risking his life at the scene. He commented:

> "I understand what the photographer was doing, but what was the right hon. Gentleman doing?"

A detachment of 20 Scots Guards armed with rifles had been summoned to deal with three Russian anarchists after some policemen had been killed.

I suggest that the Army should be called in more often today when the authorities believe that rifles and sub-machine guns would be appropriate. By all means, let us match armed bank robbers with an armed response team. But if it is thought that the Provisional IRA or other terrorists are present, why are we so reluctant to call on the Army to support the police?

It is becoming commonplace when terrorists are being tried in London to watch on our television sets armed police on the rooftops near the court in those ridiculous baseball caps which are so fashionable among schoolboys, wearing body armour and carrying sub-machine guns, and perhaps rifles with telescopic sights. The serious point is that this does the image of the constabulary no good at all. I would take some persuading that sharpshooters serve any real purpose on those occasions. If they really are essential, why do we not use the snipers of, say, the Royal Green Jackets? The public understand that soldiers need to be trained in the use of sniper rifles, telescopic sights and night-firing aids, but does the same apply to Metropolitan policemen? The Army can offer a broad range of support to the Commissioner from, at one end of the scale, a Royal Military policeman with a revolver to those highly trained specialists of the Special Air Services so brilliantly sent into action during the Iranian embassy siege. I would put it to senior police officers that, just as the public were soured by the disappearance of the bobby on the beat in favour of high-speed patrol cars—a trend which happily is

[Mr. Cyril D. Townsend]

being reversed—so, too, they are alienated by the regular sight on television of heavily armed police officers on our streets.

In a fine piece of journalism in *The Times* on 18 May, Simon Jenkins wrote that the police, who deserve every support,

> "would help themselves if they stopped calling press conferences . . . with photographs of policemen dressed as John Wayne, courtesy of Messrs Smith and Wesson and Messrs Heckler and Koch."

Senior police officers should appreciate that many Londoners would agree with that comment. The article continued, after referring to the criminals who import and sell cocaine and crack, by saying:

> "One country has wide experience of using a heavily armed police and paramilitary force to stamp out the cocaine trade. It is the United States of America. The result has been a disaster for the American police and especially for its relations with black people. Local police forces send one delegation after another to Britain to learn how we do it better."

Policemen to whom I talk seem divided in their views on that issue, but most do not want an armed police force. They feel that such a move would encourage criminals to carry arms, especially quick-firing weapons. They are not convinced that it would save police lives in the long run —we are all thinking of a particular tragic event. They remind me that not all police men and women are suitable for weapons training and that the equipment is expensive to buy and maintain at a time when money is scarce.

Problems also exist in the secure storing of weapons. Some police officers mention that, each year, a significant number of police officers in America are killed by their own weapons and that members of the public there are not infrequently injured when a shoot-out occurs, as happens all too often. Most of them know that fewer police officers in Britain are being assaulted each year, even if that fact is not known to the public. Last year, 3,370 London police officers were assaulted while on duty but five years ago the figure was almost 5,000.

In the real world, although more guns are being used in crimes—I gather that replicas are a particular problem—they are rarely fired at police officers. The figures are clear on that point. Police officers know that they are respected by the public because they are prepared to face danger unarmed. It is a tradition of which they can be proud. Some recall, too, the bad publicity that followed the police shooting of Stephen Waldorf. In a recent issue of the *Police Review* I came across a warning by Mr. Jim Sharples, the Merseyside chief constable and chairman of the Association of Chief Police Officers' Firearms Committee. He said:

> "Arming the police would mark an irreversible change which could have unknown implications for the service and the community. Such a move would have unpredictable effects. Would an arming of police . . . lead to an even greater carriage of arms by criminals? Would even more injuries and death ensue?"

During my time as an infantry soldier I carried a weapon while on active service. My experience was that, even among the best trained soldiers, accidental discharges were bound to occur and preventing weapons from falling into the wrong hands, including those of children, was a constant problem. Police forces already have difficulties looking after their own weapons. *The Times* reported a few weeks ago that two loaded police handguns were found lying in a street in the centre of Blackburn, Lancashire, after apparently falling from an armed response vehicle. A passer-by handed them in to the nearest police station. Think for a moment what might have followed had those loaded weapons come the way of one of Her Majesty's less well disposed subjects. My observation is that the more weapons are carried by the police, the more such incidents are bound to occur and the more people will suffer injuries as a result.

In a recent professional survey of police officers, paperwork and bureaucracy ranked higher than violence against the police. Nevertheless, I support refresher training in self-defence for police officers throughout their careers. I would welcome my hon. Friend's comments on that point. And protective vests should be more readily available. Few people object to police officers in the capital carrying the new-style baton, which is longer than the traditional wooden truncheon, while hoping never to be on the receiving end. Medical tests on devices such as pepper sprays must be speeded up. Perhaps my hon. Friend would comment on that, too.

While announcing in May a doubling in the number of London ARVs from five to 12, the Commissioner apparently said that the further carrying of guns by his officers would be "event driven". That odd phrase concerns me. It rather suggests the initiative being passed by the goodies to the baddies. Does the Parliamentary Under-Secretary of State accept that if there are more armed robberies in the Metropolitan police area, the police will be bound to respond by carrying more arms? I hope not. I like to think that the Home Secretary has some over-arching strategy, and that the traditional character of British policing and its humane face will be enhanced. I like to think that if, in the next 20 years, the terrorist threat diminishes in Greater London—and there must be a good chance that it will—there will be fewer ARVs and fewer armed policemen as a result.

Police officers up to the rank of chief inspector are to be balloted about whether they wish to have the

> "right to carry firearms in the course of normal duties".

It is important that the Home Office's considered advice is well publicised in advance of that little referendum. The possible arming of the police will remain high on the political agenda.The basis of my brief submission is that Britain leads the world in community-based policing, and that that is helped by the lack of conspicuous weapons. We have a right to look to our Government to give a lead. I trust that they will continue to make clear their determined opposition to a general arming of our police forces, who at the end of the day do us proud.

10.56 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Charles Wardle): I begin by congratulating my hon. Friend on raising this important issue and I welcome an opportunity to explain to the House the recent changes that have been made and then to put them into context. I agree with many of my hon. Friend's sentiments. I also join him in congratulating the Commissioner of Police of the Metropolis on his knighthood.

My hon. Friend is right to assert that the changes recently announced by Sir Paul Condon are modest. However, he spoke of longer-term trends and extrapolated from that a gloomy picture for some years hence. I think that he strikes too pessimistic a note and I shall seek to reassure him by my remarks.

My hon. Friend also spoke about an amnesty for people who hold firearms illegally. I understand the attractions of that, but I am bound to tell him that, as I am sure he appreciates, it is a delicate judgment because, if one has an amnesty with any semblance of regularity, it allows a person to think, "Perhaps I shall wait for the next amnesty." Nevertheless, I understand his argument. I am bound to say, as I know that he appreciates, that the deployment of authorised firearms officers for whatever purpose—whether as sharpshooters, as he describes it, or as anything else—is an operational judgment for the chief officer, and in this case for the Commissioner.

Before turning to the specific question of the overt arming of some Metropolitan police officers, I shall explain the range of measures being taken to offer greater protection to the police. It is important to set the issue in that context because the recent changes spring solely from a desire to protect officers more effectively as they carry out their duties. The changes are not the first moves in a fundamental change to the style of policing in the Metropolitan police district.

The physical danger that police officers confront on behalf of the rest of us cannot, and should not, be forgotten, and my hon. Friend made the same argument. The tragic deaths of PC Patrick Dunn and Sergeant Derek Robertson in the past year have brought that home to all of us. The risk in policing cannot be removed entirely and there is no infallible protection available, but a great deal can be done, and is being done, through a range of co-ordinated measures.

The recent change which has precipitated the debate relates only to Metropolitan police officers in armed response vehicles—ARVs, as my hon. Friend called them—attending incidents at which armed officers are judged to be operationally necessary. ARVs carry carbines and sidearms and, until recently, the specific authority of a senior officer was required for either of those weapons to be removed from the locked box in which they are transported. My right hon. and learned Friend the Secretary of State has recently agreed that, from now on, ARV officers in London can wear their sidearms overtly.

ARVs are usually on patrol so that they can be readily available should it be necessary to respond to a firearms incident. Where such an incident takes place, the ARV may be deployed either at the direction of a senior officer or on the initiative of ARV crew members who may observe an incident in the course of their patrol.

In London, ARV crews are deployed only where there is a perceived firearms or other lethal threat. It therefore makes sense for them to have the immediate capacity to defend themselves and others. The previous procedures, which involved retrieving weapons from the fixed locked box in the back of a fast moving vehicle, can be unsafe.

In operational terms, the handguns carried by ARV officers would be clearly visible only when they are in shirtsleeve order. My hon. Friend alluded to that. They will still require authorisation to remove their carbines from the locked box in the ARV.

Routine arming of the police is simply not the issue here—that would be a fundamental change to the style of policing. What is intended is that the police should be given the protection they need to do their job. Far from shifting towards routine arming of police officers, the Commissioner has said that the average member of the public will never see—unless he is travelling through Heathrow airport—officers routinely carrying guns on the street. I am only sorry that media coverage following this recent change has given an impression to the contrary.

My hon. Friend suggested that the Army should be used at incidents currently dealt with by armed police officers. I am not persuaded of that. Of course, there have been and may again be particular incidents in which the expertise of the armed services are called upon. However, for the regular policing needs of London, the right response is from police officers who will be unarmed in the vast majority of cases, but who must, when operationally necessary, have access to appropriate firearms.

I agree with my hon. Friend that we should keep a clear dividing line between the work of the police and the work of the Army. They have different jobs to do and different methods. One of the great strengths of British policing is precisely that the police are the police and the Army is the Army. We have always been careful not to mix them up. That is why I would not want the Army drawn into police work any more than is absolutely necessary, even if it were practicable to do so.

I hope that I have made it absolutely clear that we are not talking about routine arming or anything close to it. Although routine arming might, in some cases, assist morale, it will not often help against sudden and unexpected attack. In my view, routine arming does not have a realistic place in the balance that needs to be reached between giving proper weight to protecting officers against attack and protecting the character of policing in this country, of which my hon. Friend spoke.

The House may wish to know that the present number of authorised firearms officers in the Metropolitan police has decreased by almost 600 compared with the number of such officers in 1991. The number now is just over 1,950; in 1991, it was 2,583—hardly evidence of a move towards the routine arming of the police.

However, in responding to police anxieties about the dangers that the police face, we must not concentrate exclusively on the debate about arming. The risk of other, lesser assaults is much greater, as the figures show. In the past six years throughout England and Wales, four officers have been killed by firearms and about 50 more have been injured, the majority not seriously. Those figures can be set against annual figures for England and Wales of between 17,000 and 18,000 a year for all assaults on police officers, a little over 300 of which occurred in the Metropolitan police district. Incidentally, the figures for overall assaults have not risen in recent years—indeed, they have fallen slightly—although I am sure that my hon. Friend would agree that they remain unacceptably high.

We believe that a great deal can be done to offer greater protection to police officers through a range of co-ordinated measures. The truncheon can be made more effective. A number of alternatives have been or are being trialled. The main trial is that of the expandable side-handled baton and we are providing technical support for that. Interim reports from those trials have been received and I understand that the results so far emerging are encouraging. This equipment greatly improves the confidence of officers and it also promises to be a highly effective tool of control and restraint. That is important in itself. Research recently carried out by the Home Office shows that one half of all injuries to officers are sustained while suspects are restrained. The results of the trials are now being considered by the Association of Chief Police Officers and a final decision is imminent.

[Mr. Charles Wardle]

As my right hon. and learned Friend the Home Secretary has already made clear, from the evidence so far we are likely to support any chief officer who decides to introduce the baton. Exercising his special responsibilities as police authority for the Metropolitan police, my right hon. and learned Friend has agreed to proposals by the Commissioner to introduce two types of 22 in baton and other new batons will join the list if we are satisfied that they properly meet the undoubted need.

Body armour is also necessary in some circumstances. Many of us would have thought that it was not beyond modern technology to produce body armour that provides effective protection against knife and gun attacks and is comfortable to wear all day. However, the Home Office police scientific development branch and ACPO do not consider that there is yet such a product.

Body armour is issued for firearms incidents and stab-resistant and dual-purpose vests are increasingly purchased by forces. Chief officers will, of course, do everything they can and I commend the vest trials which are taking place in the Metropolitan police. Such trials are needed if we are to find the right product.

The Home Office is, with ACPO, considering whether pepper spray is the good thing that, by many reports, it seems to be held to be in America. Curiously, it has not been subjected to the vigorous health checks that one would expect in the United States and we must be concerned about evidence that it may be carcinogenic. I have a particular concern for officers who would be deploying it, for the simple reason that they are the most likely to experience frequent exposure.

We agree with ACPO that the issue must be resolved as speedily as possible before we can make further progress. We have been advised by the Department of Health that we should be able to get a clearer answer within months, given the right scientific research. We have, of course, asked for the necessary work to be put in hand. It is, I am sure, an essential step in reaching a position where decisions can safely be made about whether and if so in what circumstance pepper spray should be used.

A few moments ago, I referred to the number of assaults in the Metropolitan police area. I thought that I said something over 3,000. I am advised by an alert observer that I may have said over 300. If I did, I correct myself here and now. The figure I had clearly in mind and in front of me was over 3,000 and I apologise if I said the wrong figure.

I hope that, by putting the recent justifiable changes to the way in which armed officers carry their sidearms into the wider context of the measures being taken to offer the police better protection, I have shown the House that, far from representing a fundamental shift in policing, they are a measured response to changing circumstances. We must remain flexible and imaginative in our response to the shifting changes which confront police officers as they go about their duties; that is our intent.

Question put and agreed to.

Adjourned accordingly at seven minutes past Eleven o'clock.

House of Commons

Friday 17 June 1994

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Points of Order

9.34 am

Mr. Barry Sheerman (Huddersfield): On a point of order, Madam Speaker. Given the great interest in today's three debates, and given the special circumstances, which the House will understand, is it possible to place a time limit on speeches today?

Madam Speaker: I am not in a position to put a time limit on speeches today. The timetable for today's debate is in the hands of the House.

Mr. Jim Cousins (Newcastle upon Tyne, Central): On a different point of order, Madam Speaker. Overnight, we have heard the worrying news of many redundancies at Devonport dockyard. Have you been given any indication of a statement on that disturbing news, which has some bearing on our first debate?

Madam Speaker: No, I have not been informed by any Department that a Minister is seeking to make a statement today.

Competitiveness

9.35 am

Mrs. Jacqui Lait (Hastings and Rye): I beg to move,

> That this House recognises that it is only through the competitiveness of the United Kingdom that wealth is generated, and calls for a flexible business-friendly environment which encourages aggressive exporting, investment and innovation at home and abroad, unencumbered by excessive regulation, high social wage costs and statutory minimum wages.

I am pleased to have this opportunity to air my views on an issue which concerns us all. The publishing of the White Paper on competitiveness just before the recess was extremely useful. Even if the White Paper had not been published, however, I should still have chosen this subject.

All hon. Members will agree that competitive industry and a competitive business base in the United Kingdom are crucial to produce wealth and to generate the profits and money necessary to achieve the sort of society that all of us wish to see.

Most hon. Members present will be relieved to hear that I have no intention of going through the White Paper in great detail. [HON. MEMBERS: "Shame."] It is kind of hon. Members to suggest that I might go through it in great detail, but I know that some hon. Members want to concentrate on specific aspects and it is only fair to give them the opportunity to voice their views. If I were to cover the White Paper in great detail, I would take up all of this five-hour debate. My voice would probably give up long before then.

I was fascinated by the reaction to the White Paper. I was delighted that the Confederation of British Industry, the Engineering Employers Federation, the Institute of Directors, small businesses and even trade unions were pleased with it and welcomed it for its thorough analysis, for its wide variety of recommendations on the work that the Government plan to undertake and for pointing businesses, employers and employees in the right direction to a more competitive economy.

I was fascinated by the fact that the Opposition did not like the White Paper—probably, I suspect, because it did not recommend throwing public money at businesses, having a development bank or picking winners.

The White Paper makes it clear what each player involved in the game of producing wealth and generating goods and services can do. It encapsulates a broad cultural theme—the need to change, much of which has already been done. I do not wish to rehearse all the events of the 1980s, but the changes in industrial relations, the increase in the number of small businesses, the return to management of control of their businesses, the welcome new emphasis on exporting and the improvements in quality control are already under way.

In terms of quality control, the importance of businesses acquiring BS5750 status cannot be overstressed. The improvement in production and production methods that the standard brings about—this may sound double Dutch to some—is crucial to businesses being accepted both in the United Kingdom and abroad. Businesses should also be aware of the international standard 9000.

I know that there are worries about BS5750. I am aware that it requires continual management and the concentration of employees on the systems that have been set up. There is a danger if 5750 becomes set in concrete. It must be recognised that it should be an evolving standard and process. We must ensure that businesses continue to—

Mr. Michael Trend (Windsor and Maidenhead): Does my hon. Friend accept that for smaller firms BS5750 puts a great burden on their resources and time? Many such firms feel that it is essential to get 5750 status because so many firms that they supply insist on the standard. In some instances, however, it has become a pointless and damaging exercise for small firms.

Mrs. Lait: I am grateful to my hon. Friend for that intervention, because it reflects some of the worries that have been voiced to me. They go to the core of the changes that are being considered in the context of 5750 systems. I can assure my hon. Friend, however, that some extremely small businesses find the standard a key to their success and have found the resources to concentrate on it. Several small companies in my constituency that employ only a few people have made 5750 the key to their management systems.

Mr. Peter Butler (Milton Keynes, North-East): My hon. Friend may be interested to know that experience shows that companies without 5750 talk different languages and cannot communicate between themselves easily. Companies with 5750—it is sponsored by the British Standards Institution, which is based in my constituency and with which I am negotiating in seeking 5750 for myself, so as to be the first Member so accredited—can communicate between themselves and, therefore, become more effective. Whether firms are small or large, the need for them to communicate and to become more effective is exactly the same.

Mrs. Lait: I can do no more than endorse my hon. Friend's recommendations and suggest that perhaps collectively—as 651 Members—we should acquire 5750 status.

Having concentrated for some time on the need to improve standards in business, I think it important to set the need for greater competitiveness in the United Kingdom in its proper context, which is global market competition. Our businesses do not function solely within the UK. We are not functioning only in the European Union or the European continent. Equally, we are not functioning only in the Commonwealth. The reality is that we are in a global market. Our competitors come from countries that we have not taken much account of in the past. They are coming from Asia and are known commonly as the Asia tigers. They, even more than the United States and Japan, are the countries and the companies that we need to be looking to, not merely to compete with and sell to, but to learn lessons from.

We must not look within Europe alone to provide the standards of business within the United Kingdom. We must focus on customers in the huge world market to which I have drawn attention. They are customers who are used to wide choice and to high quality, and those are the keys to our competitiveness.

We need to ensure that, as a country, our companies are on top of the demand for new goods and new technologies. We must adapt to meet changes. I am sure that many hon. Members, bearing in mind some of the battles that have taken place over the past 15 years, will realise that the reluctance to adapt and to meet changes has been one of our greatest problems. There have been difficulties in persuading the nation of the need to change and adapt. It is a battle which we cannot afford to lose. It must be recognised that if the battle is lost, we shall never be able to compete in the world market. As part of the adaptation to meet changes, we must ensure that businesses are free.

It is interesting that we are still talking about manufacturing industry. Various organisations commented on the White Paper and many of them said, "It is good to see the Government focusing on a manufacturing policy and an industrial policy." Over many years, I have been bothered by the artificial division between services and manufacturing. We have, for example, a successful computer hardware exporting operation. That is regarded as manufacturing industry. The software to go with it is an equally successful operation. It might be said that it is more successful than the hardware operation because much of it is home generated. It is regarded as being part of the service industry.

We must re-examine the definition of services, which includes education services. In Hastings, for example, English language schools are a large part of the local economy. They are earning good export money. They are still regarded as services. Sport is an export. Rubbish and cleaning services—known in the colloquialism of statisticians as sanitary services—are earning us export money. Another relevant sector is posts and telecommunications. I do not wish to be too controversial, but it must be recognised that British Telecom has done brilliantly in exporting its services. One of the reasons for wishing to make changes to the Post Office is to ensure that it, too, can do the same.

We must get away from artificial distinctions between manufacturing and services, which, in the past, have led to the psychological impact of some jobs being classified as real and others not—if someone is in manufacturing he has a real job; if someone else is in services, he cannot have a real job. We must concentrate on removing these artificial distinctions. After all, services accounted for 17 per cent. of world trade in 1992, as against 15.6 per cent. in 1984. That shows us how important services are and how crucial they will be to the development of our economy. I do not subscribe—

Mr. Jim Cousins (Newcastle upon Tyne, Central): I am following the hon. Lady's argument closely and with a great measure of agreement. Does she feel that the report that came out yesterday about the condition of London and the significance of London in Britain's service trading, and the way that its position is being undermined by neglect, is a source of great concern?

Mrs. Lait: I shall talk about the City in due course. I shall argue that, given the City's importance in world financial markets, without wishing to be complacent, we will continue to dominate world financial services. London will, therefore, continue to be a crucial player in world markets.

In the United Kingdom, the service industry is worth £12.6 billion. Its value has increased by 121 per cent. since 1982. That explains, perhaps, why over the past decade there has been criticism that we have concentrated too much on services and not sufficiently on manufacturing. I see these operations as one seamless whole. I hope very much that we shall begin to change our attitudes and, hence, the classification of different industries so that we can recognise their important roles.

It is in the service industries—the information and knowledge industries, for example—where the Asian economies have become so dominant. That has happened because they have flexible economies. They do not have the rigidities of the European continent and of the European Community. We have taken the lead within the Union in trying to free up our economies. It is an interesting fact that the results of the European elections may strengthen our elbow in continuing to lobby for that.

We must consider the Italian Government under Mr. Berlusconi and whatever one might think of the politics of the anti-Maastrichters in France, they have at least brought to that debate a more sensible and balanced view of how the French economy needs to be opened up.

Who becomes the President of the Commission is crucial. I was delighted to see my right hon. Friend the Prime Minister supporting so strongly our candidate, as he has been the key in the Community in terms of mergers and competition policy.

We have said on many occasions that the Community should be opened up and made more flexible through social and labour policies. The Organisation for Economic Co-operation and Development report and the charges and counter-charges about the statutory minimum wage are timely.

I have read all the OECD report and it contains only two references to the statutory minimum wage, although much of the report implies criticism of it. The OECD report states that Europe is motivated to protect people from the vicissitudes of economic life. The European Community has tried to protect them through social welfare and the effect has been to rigidify the economies' ability to change.

No Conservative Member would disagree with that sentiment. I have no desire to rehearse the arguments about social wage costs and the statutory minimum wage. However, it is worth bringing to the attention of the House the references in the OECD report to the problems that have arisen as a result of a very tight social wage structure and the statutory minimum wage.

Mrs. Cheryl Gillan (Chesham and Amersham): Is my hon. Friend aware that the statutory minimum wage has been such a success in France that the French have now withdrawn and reduced it?

Mrs. Lait: That was a key issue in one of the last bouts of civil unrest in France. Most of us were horrified to see the effects of that, as it probably reminded many of us of our problems in the 1970s which were caused by rigid social wage policies.

The OECD recognises that the statutory minimum wage is a barrier to employment. It can support a statutory minimum wage only if there is a clear policy decision to reduce poverty, when a statutory minimum wage system should relate only to prices and not to average earnings and should differentiate between age and regions so that it is flexible. That must be contrary to the Opposition's concept of a statutory minimum wage.

Mr. Roger Berry (Kingswood): If the problem in the 1970s was one of rigid wages, why was the growth rate in the 1970s far higher than it has been since 1979 when the Government have pursued precisely the opposite policy?

Mrs. Lait: We do not have a statutory wage policy, but, if my memory is correct, I recall that on many occasions the Labour party attempted to have a statutory wage policy, but that was broken time and again by the trade unions. Most of us remember the horrors of the winter of 1978 which were the result of having a statutory wage policy.

I do not want to spend too much time on the statutory minimum wage. I simply wanted to demolish the arguments about its being a way of making our economy competitive in the world.

We need more changes in the European Union, because we must break down the rigidities in the employment market which are leading to barriers to employment. We are excluding people from the employment market because of the rigidities in the system.

Mr. Martyn Jones (Clwyd, South-West): If the United Kingdom is so much more flexible and less rigid than the European Union, why has our economic growth lagged behind that of all the other European Union nations since 1979 except for Denmark and Greece?

Mrs. Lait: It has taken us 10 years to get rid of the rigidities that the Labour party brought into the system.

The Minister for Industry (Mr. Tim Sainsbury): May I remind my hon. Friend and the House that the 1980s were the only post-war decade in which our economy grew faster than those of Germany, France and Italy?

Mrs. Lait: I thank my right hon. Friend for that information. I support that point, because we are all aware from constituency experience of the difference that that growth has made.

Mr. Nigel Waterson (Eastbourne): Before my hon. Friend leaves her point about rigidities in the labour market, did she hear the comments on the radio this morning of one of the Labour leadership contenders, the right hon. Member for Derby, South (Mrs. Beckett), who indicated in fairly clear terms that, as leader of the Labour party, she would be looking to restore rights of secondary picketing in this country? That would be a serious backward step for trade union relations and for the economy generally.

Mrs. Lait: That only goes to show the type of Labour party that we will be able to challenge successfully at the next election, whoever wins the leadership battle.

Mr. John Sykes (Scarborough): I should like to join this bandwagon. Is my hon. Friend aware that the Transport and General Workers Union, the biggest dinosaur of them all, has this morning thrown its weight behind the right hon. Member for Derby, South (Mrs. Beckett)?

Mrs. Lait: That simply reinforces the pleasure that we should all feel about the right hon. Lady becoming leader of the Labour party. We encourage her candidature.

Mr. Cousins: The hon. Lady should have taken careful note of the comments of my right hon. Friend the Member for Derby, South (Mrs. Beckett) about her commitment to positive rights at work. Does the idea of staff, employees and managers having positive rights at work have any echo of sympathy in the hon. Lady?

Mrs. Lait: Every employee, of whatever status, already has rights at work. One of the strengths of the development in the United Kingdom economy is that those rights at work are beginning to devolve down from company level to working level. Therefore, people can enter into direct discussions with their employers about those rights at work, payments and benefits which match the conditions of the company and the local economy. That is crucial to the flexible economy that we need in this country. That is underpinned by a legal system which ensures that everyone has direct legal rights.

Mr. Cousins: We are now quite clear: the hon. Lady is advocating a positive right for staff to discuss matters concerning the enterprise and the business with their employers. The hon. Lady is saying that that positive right should be included in law. That is very commendable.

Mrs. Lait: I like the hon. Gentleman's attempt to put words into my mouth, but that was not what I said. The direction in which our economy is moving, a direction of which I approve, is one in which employees and employers have a direct relationship in terms of remuneration and benefits. That must be the key to the flexible economy that we need to compete in the world. It is the world that we need to compete in, not the European Community. While the European Community as a whole is becoming increasingly uncompetitive, the United Kingdom is becoming increasingly competitive in the world. That is the direction in which we should be going.

Mr. Butler: I am afraid that my hon. Friend may inadvertently have been slightly misled by my hon. Friend the Member for Eastbourne (Mr. Waterson). I listened for several minutes to the interview with the right hon. Member for Derby, South (Mrs. Beckett) when she spoke about secondary picketing. I heard the right hon. Lady asked about four times what her view was, and the most that she would say was that her view was very well known; she would not actually say what it was.

[Mr. Butler]

I had to turn off after the fourth attempt to obtain an answer. Perhaps she subsequently answered. I suspect that my hon. Friend the Member for Eastbourne has thrown an extremely red herring into the water. I do not think that the right hon. Lady has a view on secondary picketing, and I would not wish her to be unfairly castigated for the possession of a view that she does not hold.

Mrs. Lait: I appreciate my hon. Friend's comments. I reiterate only that that makes the right hon. Lady an even better candidate for the Labour leadership.

I should like to make progress, because I would hate to be accused of filibustering. I have a large part of my speech still to make and it is about time I moved on to the further changes that are required in the European Union in order to make our companies more flexible. That matter was encapsulated by a paper that I received from the Chemical Industries Association Ltd., a body for which I worked in the early 1980s. The chemical industry is one of our most successful industries, both internationally and within the European Community. The association is exceedingly worried about the need for the European Union to look much more strategically at international requirements for company structures.

We need within the European Union a better understanding of global markets, how very large companies need to play in global markets, what constitutes mergers and monopolies, and when there should be interference in company changes. We need to consider cross-border transactions, shareholdings, deals on plant sales and so on which are crucial to the development of the chemical industry. Also, the European Union has not yet got the legal structure right in respect of co-operative joint ventures. They need to be streamlined and made much speedier and much more responsive to changes in world demand, which the chemical industry can be, as can many other successful international players in the industrial world.

Mr. Cousins: Is the hon. Lady saying that she supports the principle of European companies organised on a similar basis in respect of shareholders and stakeholders right across Europe? If so, how does she support the opt-out from so many aspects that the present Government, whom she supports, have carried out?

Mrs. Lait: The hon. Gentleman is trying to develop the concept of European companies. I am not entirely convinced that the body of law that is required for that is easily created. In the middle of the 1980s, great efforts went into trying to create European companies with the necessary legal requirements, and the idea fell upon the differences in national legal terms. We have to ensure that the European Union is capable of reacting flexibly to the requirements of the international industries that we need in order to be competitive throughout the world.

Mr. Butler: Does my hon. Friend accept that, contrary to the intervention by the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), there is a significant difference between a company which operates in more than one European country operating similar systems throughout its operations for the benefit of itself and its employees and that company being required under the social chapter to operate totally ineffectual but very expensive regulations and compliance systems which do nothing for the company, its employees or its competitiveness? The Labour party is unable to distinguish between those two models, but does my hon. Friend accept that that is a clear and proper distinction?

Mrs. Lait: Indeed I do. I could not have put it better myself.

Mr. Butler: My hon. Friend probably could.

Mrs. Lait: I would not have attempted to put it better myself, and I certainly do not want to repeat it. I am very conscious of time passing, and I want to make progress.

Several industries have expressed concern about the need for the United Kingdom to ensure that our civil servants are seconded at a high enough level within the European Commission to be influential, that we take up our complete quota of them, and that the system rewards them rather than penalises them for working in Brussels. I express an heretical thought: France and Germany exchange civil servants so that they grow up through the system knowing one another terribly well and can always telephone François or Helmut, so we should do exactly the same and set up such agreements with other European Union countries. I have no strong feeling about which countries they should be—

Mr. Iain Mills (Meriden): Greece.

Mrs. Lait: It would help the Greek economy no end to have a few British civil servants.

Mr. Butler *rose*—

Mrs. Lait: I am beginning to feel slightly under pressure.

Mr. Butler: I would not wish to put my hon. Friend under pressure in any context whatsoever. I hope that she will recall that as our relationship develops slowly but positively over the years ahead. She happens, though, to have released from the closet, as it were, a hobby horse of mine. Never mind exchanging civil servants; would it not be an excellent idea throughout Europe to have a mutual exchange of, for example, health inspectors, abattoir inspectors, veterinary inspectors and compliance inspectors? It is not that one believes for one moment that the Italians, Greeks, Spanish or French administer rules any less rigorously than we do, but, to reassure those who are more sceptical than my hon. Friend and I are about such matters that that is, indeed, the case, would not such an exchange have very positive benefits?

Mrs. Lait: There would indeed be an exceedingly positive benefits. I should like to see people's reactions when reciprocal inspectors from Greece and Spain appear in our environmental health departments.

There is another issue in respect of which the Department of Trade and Industry can help directly. Many industries complain that it is difficult for them to take part as advisers on European Union committees. Such committees are legion and they take enormous time, but they are crucial in developing the common European standards that we need in order to complete the single market. Many industrialists say that their counterparts in other countries are helped financially in terms of fares and so on to take part in those committees, whereas our companies must cover the cost from their own income. For a small business in a high-tech sector, that can produce great strains, but such participation is necessary to ensure that industry's survival. It would help if my right hon. Friend the Minister could tell me whether that idea has floated across desks at the DTI.

I have spoken at great length about greater flexibility within the European Union, and I should now like briefly to go back to the subject of employment and talk about the need to get away from rigid working hours.

In some of the recent BBC strikes, we have seen some of the consequences of old-fashioned rigidities. Those strikes were often castigated because they exposed practices such as soft shoes for studio staff and macs for political reporters. We see exactly the same problems in Germany, where, interestingly, the post office is being privatised, but part of the privatisation is to buy out some of the perks of the German postie, which include lemonade when the temperature is above 80 deg F and tea and coffee when it is below 14 deg F—let me try to keep within the same temperature system. Silly rigidities are limiting employment opportunities and ensuring that our economies still have some way to go before they are sufficiently flexible to meet the challenges from Asia.

We cannot afford to be a fortress Europe. We will be besieged by goods from outside, and eventually we will be starved into defeat. That is one reason why the single market is so crucial and why the United Kingdom pressed so hard for it. Of course, as a consequence of developing a single market, we have seen a fall out in the United Kingdom, as we have had to reconcile our traditional cultural and legal patterns of work which, in some respects, has caused great pain.

In some areas, we are way ahead—for instance, on copyright. But in our constituencies, we have all had to deal with the dissatisfaction that has been brought about by excessive regulation, for example, as we move towards the single market.

I welcome the Deregulation and Contracting Out Bill. I hope that the constitutional device included in it and recommended to another place by the House of Commons goes through that place without any problems, because it chills me to think of the consequences of having to deal with every single part of deregulation and re-regulation through primary and secondary legislation in this House. We need to be able to move forward.

I must tell the House that some of the regulatory madness continues. CMR in my constituency is a small chemical company which recycles chemicals—most people would approve of that. The company has discovered that regulations that came into effect on 6 May require the companies to have bonds for the chemicals that are used, in case there is an accident, which would require cleaning up by one of the waste authorities.

When the regulations came into effect, the bonds did not exist; insurance companies were not prepared to provide them and banks had not even heard of the regulations, as far as I could find out. We are, therefore, left with a situation where there is no good mechanism for companies to be able to comply with regulations after they come into place. I deplore that. When regulations are still required, and it is agreed that they are required, there should be more thought about how they are implemented.

I also have the pleasure of having a division of Philips in my constituency. Many hon. Members will know that I regularly talk about the weakness of the Hastings economy, but Philips is one of my outstandingly good examples because it has gone from the threat of complete closure to being the centre of the Philips kettle-making division for world markets. However, one of the issues that Philips must deal with is one that many of us, especially those who have bought electrical goods over the years, have regularly complained about—the absence of a plug at the end of the lead and the fact that we must buy one separately.

At present, there is great confusion about whether the provision of a plug will be required by law. Of course, the question whether there will be a legal requirement to put a plug on the end of the lead, or whether it can be done as a gesture to the consumer, makes a big difference to companies such as Philips. If hon. Members have bought electrical equipment recently, they may have noticed that more and more such equipment has the plug attached, and that greatly reduces the irritability factor for the consumer. It would be helpful for producers to know whether they are legally required to produce a plug. That will come under regulation—then again, it may not.

The package that was produced when the White Paper on competitiveness was published included a report on the regulation initiatives of the Health and Safety Executive. I and many of the companies that I have spoken to welcome the Health and Safety Executive approach. When I was working on the deregulation issue, I was interested to find that the HSE and Her Majesty's inspectorate of pollution were two of the least criticised bodies. I suppose that, because they are of such high quality, they were the first bodies to come out with ways of changing their approach.

I am impressed by the fact that, at long last, the HSE has decided to move towards goal setting and away from prescriptive targets. That is the best way forward, and it will make things much easier for companies.

I also welcome the fact that, after many years of problems, the HSE is beginning to focus much more clearly in a public way on risk assessment. Risk assessment is exceedingly emotive but little understood. I often describe it simply as assessing the risk brought about by Chernobyl: most of us probably got more radiation from watching television reports of Chernobyl than we ever did from Chernobyl itself. That is a simple way of putting over to people the meaning of risk assessment.

The problem is that we are beginning to create a society in which risk is being taken out, so that we become less and less able to assess risks to ourselves, our neighbours, our family and our friends. If the HSE can begin to focus on that in a more coherent and sensible way, I can only approve of it.

Mr. Butler: This is not only a problem within the HSE. Does my hon. Friend recall the recent case of the photographer who managed to step on to a slippery part of a breakwater, or some similar construction, and fall in the sea? He was the first person to injure himself on that particular piece of coast—I know that my hon. Friend represents a constituency which, at one time at least, was on the coast; part of it may still be on the coast.

The photographer sued the local authority for not having put up warning notices. He was the first person in 90 years to fall in the sea and then receive damages against the local authority, which has now had to go to the expense of putting up notices.

Does my hon. Friend accept that no-risk compensation —the idea that any risk, however minimal, must be

[Mr. Butler]

guarded against and that the failure so to do renders one liable in the courts and under the HSE—is a widespread problem and needs a widespread response?

Mrs. Lait: I most certainly accept that. I am sure that many of us could think of many other similar instances. We need to look at the whole body of regulation in that area.

I shall refer again to Her Majesty's inspectorate of pollution because an issue that arises time and again goes under the glamorous title of BATNEEC—best available technology not entailing excessive cost. BATNEEC has led to endless arguments between HMIP, which tends to be in the middle, the DOE, the DTI and various other regulatory bodies and companies. I understand that HMIP has now provided a definition that is acceptable to all those bodies. That means that, at long last, some of that grey area which has produced so much argument may be resolved, and that will help in the whole of the deregulation issue.

There is still one remaining worry that business people have about HSE, HMIP and even—dare I say it—that other body, the environmental health officers.

Mr. Patrick Thompson (Norwich, North): I am grateful to my hon. Friend for giving way; earlier, I vowed not to intervene at any point in her speech. For a long time, I have been conducting a campaign against acronyms. My hon. Friend has used probably a dozen completely incomprehensible acronyms in the past five minutes. Her speech is excellent and fascinating, but may I, even at this late stage, ask her to join my campaign against acronyms?

Mrs. Lait: The suggestion that we have a campaign against acronyms is sensible. However, I must tell my hon. Friend that when one is trying to say "best available technology not entailing excessive cost", BATNEEC comes more readily to the tongue.

Mr. Sainsbury: Perhaps I may remind my hon. Friend that if our hon. Friend the Member for Norwich, North (Mr. Thompson) were to launch a campaign against acronyms, he would be taking on not only the DOE but the whole Government as well. He might recall that when my hon. Friend the Member for Romford (Sir M. Neubert) moved from the Government Whips Office to the MOD, he said that he had moved from anonymity to acronymity.

Mrs. Lait: My right hon. Friend is absolutely right.

I shall return to my previous remarks. One of the worries that business people have is the need to ensure that within that collection of acronyms there are people who have a business background, as well as technical and scientific experts who are required for that sort of job, because often the bottom line is affected by the decisions of those acronyms. We need to ensure that there are sensible negotiating stances, not the well-known stamping of the foot and companies being told that they will be closed within 24 hours if they do not do it.

I shall move on to a different area: business-friendly finance. I have no intention whatever of mentioning the clearing banks, although I am sure that some hon. Members may wish to do so. If I started on the clearing banks, I am sure that I would go on for even longer.

The White Paper had great difficulty dealing with late payment. I understand why from the reactions to the proposals that it came up with. The Forum of Private Business asked, "How dare the White Paper not propose legislation?", but the Confederation of British Industry and the Federation of Small Businesses both welcomed the fact that we have not done so. Those are the three principal organisations affecting small businesses, so I have enormous sympathy for the stance that we have taken in the White Paper.

It is sensible to require that particularly large companies, which publish their accounts, include in their annual report and accounts a statement of their payment policy. That would at least put on some psychological pressure and give smaller businesses a handle on how to get some movement on payment.

It is not merely a question of companies, as the Government should also be setting an example. Unfortunately, I know of two cases in my constituency in which the Government have conspicuously not done so. One case involves one of those silent companies that do so well and which we all notice only when something goes wrong. It maintains all the clocks in the royal palaces and that includes Big Ben—we all know when that goes wrong.

During the past 10 years, the company's contract has been with a variety of different forms of the Property Services Agency and therein lies the problem, because, as we are all aware, there have been great changes in the agency during that time. The company's bills were sent to addresses that were vacated, and to people who had left or moved and a very large sum of money was outstanding.

The company is small and, eventually, through the use of solicitors, it persuaded whoever was finally in charge to pay the bills. What he or she was not prepared to do, however, was pay for the cost of financing the money that the company had not received, which in many cases dated right back to 1982. The company has had to lay people off, largely because it needed to fund the bills that had not been paid. I very much hope that, as I have alerted my right hon. Friends the Minister for Industry and the Environment Minister, something will be done about that.

To move to a slightly happier note, another company in my constituency called Photek— a small, high-tech company, involved in image intensifier technology—has been helped enormously during the past few years by Government and European grants, under the SMART and Eureka awards. Originally, when its bills were submitted against invoices, under the system as laid down, it was paid within one month, but it now finds that it is taking one month for the Government to write a cheque. I urge the Department of Trade and Industry, which is responsible for dispersing the money, to look again at its systems because it causes difficulties for small companies' cash flows if they do not receive their grant cheques as they should.

Finance for small business is an issue which has long concerned many of us and we all await the Treasury report. One of the greatest problems, which I come up against time and again, is the need for venture capital of up to £500,000 for companies. With our latest suggestion in the Budget —the Venture Capital Trust—and other encouragements, we are beginning to deal with that problem. We cannot just rely on business angels, however.

I have regularly heard the line about how one can make a small fortune—start with a large one and go into venture capital. I have sympathy with that view, because I know people who have suffered in that way. We need a culture change. Companies must get away from always looking to overdraft finance. We must change to long-term investment, equity stakes and even to preference shares, which do not dilute an owner's ownership of a company.

There is also an opportunity for the private sector to come in, as it has done so well in the past, through small investment trusts, enabling any member of the public to take a stake in venture capital—investment trusts designed to invest in businesses needing up to £500,000. We all know why it is so difficult, because the costs of finding venture capital are very high, but something like an investment trust would reduce that cost.

It is a matter of interest that 3Is is at long last coming to the market. It was set up by the clearing banks to avoid being nationalised in 1948 and has proved to be their greatest investment. It has done a tremendous job in providing venture capital.

That brings me to the contentious subject of dividends being too high. I tend to believe that one of the closest things that we have to a sensible market is in the City. We have had an unstable economic background for three decades, with high inflation, high interest rates. One has never known which way the economy is going, or whether taxes will go up or down. Some of us remember the 1970s, when we had Budgets fairly regularly. The noble Lord Healey was known for multiple Budgets in the way that other people run multiple stores.

We now have a regime that enables us to see clearly our future for the next few years. We set out in the Budget a very clear statement, which the Chancellor reiterated a couple of days ago, of Government policy and the intention to keep inflation and interest rates low and to set out a tax regime. That will bring the stability that is required for a more sensible longer-term view in the City markets. Quite rightly, as they have not known what would happen to the economy in the next one, two or three years, they have looked for a higher return for high risk. One asks for short pay-back terms on investment. Investors rightly want a high return for that risk.

We have had a high dividend regime, but, equally, United Kingdom companies have been used to going to the City to get investment. The success of those requests has a direct relationship to the success of the business, its management skills and ability and its profitability. We must try very hard to get over the message that stability is the key to ensuring long-term, worthwhile investments, which will ensure a growing and competitive economy in the long run.

Briefly, on the role of the City, which I promised to mention, the key to success has much to do with the skills that it has developed and even more to do with the fact that it sits on Greenwich mean time and hence can deal throughout the world during its working day. Even if we move to European time, with the extra hour, that power will remain. We also have the English language, which is the international language of business. Because of those advantages, we have developed a range of business and financial skills that is not apparent in other European countries.

We are continually being challenged that Frankfurt and Paris will take over from us in Europe. One has only to study the financial structures of those two countries to realise that they do not have the wide range of skills required in the global market. Hence, as long as we remain flexible and the regulators in the City do not become too rigid, we will remain pre-eminent. We must not be complacent, but we will remain pre-eminent in world financial skills, which will keep up our competitiveness.

We are still the second-biggest investor abroad. Our surplus in 1992 was £8.3 billion, and that must be good for all of our pensioners and for everybody who has a stake in businesses. Sensible businesses are obviously investing abroad, and hence we are bringing money back into this country at a much greater rate than that at which other countries are investing in us; their outflows are smaller than the inflows into the United Kingdom.

We need to ensure that because of longer-term financial stability, companies will increase their research and development, and that is crucial for our continuing competitiveness. It was with great pleasure that I read today that, practically for the first time ever, British companies are investing in research and development at four times the international rate. Long may it continue. I hope very much that that is a reflection of the creation by the Government of the long-term stable economy which we are all looking for.

It also helps companies to export, and many of the things that I have described lead in the long run to better exporting. The Department of Trade and Industry has done a tremendous job with its export promoters. I chair a committee which is very involved in west Africa, and a year ago it was in the doldrums about the help which it was getting from the Government in terms of exporting. Now, in so far as business men are ever lyrical, they are lyrical about the help they are getting. I know that the response is not just coming in west Africa, and I commend the DTI for that.

It is encouraging going round companies—as I do in my constituency—and seeing the percentage of their products that are going to export. It is no longer uncommon for 85 per cent. of production to be exported, and not necessarily just to the Community. I do wish that we would stop talking about exporting to the Community—we are one single market.

Finally—the House may be glad to know—I would just like to examine the role of infrastructure in our competitiveness. Some hon. Members may have seen today the report by the Henley Centre which says that the area around Cambridge and the east midlands will have the greatest growth in the coming decade. One of the keys to that growth, the report says, is easy communication. I could not agree more.

The need for good roads is crucial to this country and we must ensure that we invest wisely and quickly in areas where we do not have good roads at the moment. It is crucial for our economic development, and I say that as someone who has pleaded loud and long for investment in two principal roads into and out of my constituency—the A259 and the A21. There is a direct correlation between the fact that we have only just got below 13 per cent. unemployment, the quality of our roads and our weak economy. I should like the Department of Transport to move to a system of recognising the economic development potential of roads, rather than a straight mathematical calculation on growth based on the current economy.

I am conscious that I have not covered all of the issues in the White Paper, but I never said that I would. I am beginning to run out of puff, and I should just like to draw my remarks to a close.

Mr. John Austin-Walker (Woolwich): One of the areas of the White Paper to which the hon. Lady has not made much reference is the question of discrimination. I note that the White Paper says that unfair discrimination in the labour market is

[Mr. John Austin-Walker]

"morally wrong and economically damaging".

Will she prevail upon her colleagues not to continue the filibuster this morning, so that we can discuss the rights of disabled people and their opportunities to enter the labour market?

Mrs. Lait: I am fascinated that the hon. Gentleman wishes me to continue to discuss the White Paper, which I should be happy to do. I am equally conscious that a large number of hon. Members want to discuss other parts of it, and it is only fair that I should draw my remarks to a close. I commend the White Paper and my motion to the House, and I commend also the long-term policy of the Government of introducing flexibility into our economy and producing economic stability. The need for us as a nation is to rejoice in change, and not to resist change. That is the key to continual competitiveness.

10.34 am

Mr. Jim Cousins (Newcastle upon Tyne, Central): I congratulate the hon. Member for Hastings and Rye (Mrs. Lait), both on her good fortune and on her choice of subject. When the hon. Lady was the Conservative candidate for Wallsend—a constituency close to my own —I said at the time, "This lady will go far." Of course, in going to Hastings and Rye she has gone about as far as she reasonably could.

Mrs. Lait: I apologise for interrupting the hon. Gentleman's speech so early on, but it is only fair to say for the record that it was not Wallsend—it was Tyne Bridge.

Mr. Cousins: That is even closer to my constituency, and hence even further for the hon. Lady to go.

I knew the hon. Lady's predecessor—Sir Kenneth Warren as he now is—extremely well. I served on the Select Committee on Trade and Industry with him, and he was in many respects a remarkable man with many fine qualities. One of those fine qualities was arguing convincingly that Indonesian food did not have to taste exclusively of peanuts. It is of course such small, but important, discoveries that make our life in this House so rich and rewarding.In one respect, however, the hon. Lady is very different from her predecessor. I say this with no disrespect to Sir Kenneth Warren, but I could not visualise him speaking for over an hour on a Friday morning.

The subject is, of course, extremely important, and I agree with much of the hon. Lady's analysis—although sadly very few of her conclusions. She alluded in her own way to the point at which our approach to these matters should begin, and I share her opinion about that: we must work with the idea that no one in the world owes anyone in this country a living. Any cronyism, complacency, the old person network—*[Interruption.]* I appear to have said something entertaining. I am delighted to think that, at such an early point on a Friday morning, I can give rise to such amusement. I repeat the phrase which I think caused the excitement—"the old person network". The "steady as we go" and "It'll be all right on the night" spirit are part of the "back to basics" of very many people in the British economy.

Mr. Butler: I am terribly grateful to the hon. Gentleperson for giving way. Does the hon. Gentleperson not realise quite how silly phrases such as "old person network" sound?

Mr. Cousins: As we discover on these occasions, such remarks are intended to give rise to even greater silliness in others. I appear to have achieved my objective in that respect.

Every British institution and enterprise is being tested in the global challenge—including, I may say, this one. This House's ability to discuss matters that are important to many of our people is being challenged and, on some occasions, we do not succeed in seeing those matters through to their conclusion as we should. Such matters are important in a discussion of global challenges, and the way in which banks conduct themselves and the kind of research and development expenditure that we have are fundamental to that challenge. I am sorry that the hon. Lady did not respond as promised to an intervention in which I drew her attention to the disturbing report about the rundown of the City of London. It is, after all, the base for much of our financial information and high-technology services.

Every time the hon. Lady was confronted with such institutional issues, she fell back to using the oldest trick, by arguing, "On the one hand this, but on the other hand that." That was her approach to late payment, to research and development, to the evolution of our company structures and, I am afraid, to much else in her speech.

The truth is that there is no point in any of us looking back to the 1960s, the 1970s or the 1980s because every one of those decades was a period of relative failure according to some crucial necessary indicator of economic success. Any political party that plays a party game of statistical charades and dresses things up to make relative failure look like absolute success will fail: people will no longer be fooled by such behaviour. Sadly, many of our people expect us to try to fool them. If we are to correct that impression, we must start by not fooling ourselves.

The hon. Lady spoke about the search for stable macro-economic conditions and, although she may have focused too closely on it, I accept that it is important. In the 1980s, we experienced swings from boom to bust. Such experience should guide us on what to avoid in the future and I appreciate that the Government are trying to learn that lesson in their own way. We must avoid reproducing the stop-go economies of the past. The Government's adoption of a multi-speed, multi-track approach to the indicators governing the economic cycle will not do.

At each end of the punt, poling furiously in opposite directions, we have the Chancellor, who is, for the moment, preaching fiscal rectitude, and the Governor of the Bank of England, who has allowed monetary laxity. Each of them is still promising the other that, in some further eddy in the economic cycle, they will change places.

Stability is not achieved by setting all the signals at amber and hoping that the trains will not hit each other. Such a strategy will not produce stability; it is simply a posture of informed indifference and neglect. I fear that that represents the macro-economic policy of this Government.

Neither the White Paper nor any other item of Government policy addresses some of the fundamental structural deficiencies in the British economy. We do not undertake enough research. We do not draw enough upon the skills and enterprise of every part of our society and every region of our country. We are not sufficiently well trained and our skill levels are not high enough, although I accept that a minority of our population is extremely skilful and well trained. Our investment levels are not large enough, not financed soundly enough and not targeted on the right kind of object. The Government have not addressed those fundamental institutional and supply-side deficiencies. The White Paper merely refers to them as a signal of past failure and indifference and does not offer any real promise of a change of heart.

Mr. Butler: The hon. Gentleman is suggesting that policy is not directed at the correct projects and sectors, but has failed to answer the question, "Who should do the targeting?" Is he suggesting a return to Government targeting—the National Economic Development Office, NEDO and so on—or does he have some other proposal?

Mr. Cousins: All the stakeholders in any enterprise must be involved to a far greater extent, because currently too few of them are involved in serious discussions on the future of their enterprise. One of the major deficiencies of the market in corporate performance is the lack of involvement of some of the major institutional shareholders and financiers; they simply do not engage in a continuing evaluation of companies and their activities. They do not engage in forward looks, to use the Government's phrase, at their investments. "Forward look" is a good phrase, although I do not believe that the result of the effort is that promising.

I deliberately use the term "stakeholder" here because more is involved than the shareholders. It is important to discover who are the stakeholders—the legitimate social partners—because their lack of involvement underpins one of the fundamental deficiencies in the Government's analysis of our problems.

Mr. Butler: I am grateful to the hon. Member for his response to my question. Do I take it that he is not proposing any form of NEDO, albeit known by another set of acronyms or title? Does that mean that the old Labour party idea of Government centrally controlled investment planning and targeting, to use the hon. Member's expression, will not be proposed by him or by any future leader of the Labour party?

Mr. Cousins: There is no point in talking about reinventing NEDO, which the Government abolished. It is significant, however, that part of the current work of the Department of Trade and Industry has led to the surreptitious re-creation of many of the sectoral procedures and devices adopted by NEDO. That was exactly the format adopted by NEDO when it got down to business through its sector working parties. In effect, the DTI has re-created that sector working approach. We should not be too bugged about institutional structures, because what the Government have taken away with one hand they have partially reinvented with the other.

It is important to note, however, that the Government have failed to involve all the social partners who were involved in the work of NEDO. It is a pity that although the DTI has re-created the sector working approach it has not involved some of the stakeholders. Sadly, those people have been missed out and I suspect that that is deliberate policy.

Mr. Nirj Joseph Deva (Brentford and Isleworth): Is the hon. Member suggesting that politicians and civil servants can spot winners whereas the market and industrialists cannot?

Mr. Cousins: In the 1980s, we saw the manufacture of losers across all sectors of industry and we must seek to avoid that in the future.

The argument about picking winners is an argument from the past, because what we see around us is the creation of losers. I acknowledge that, to some extent, the White Paper recognised that, because it recommends ways in which the Government can work to try to prevent it from happening again. We should all agree about the importance of such work.

Mr. Sykes: When the hon. Member talks about social partners, is he talking about trade unions? If he is, what kind of social partners does he think they were to the economy in the 1970s?

Mr. Cousins: As I said at the beginning of my speech, we cannot proceed to operate a system in which many people are excluded from decision making simply because of some antique stereotype that some other people claim still exists. That is a lesson which my own party has had to learn in its own way and it is a lesson which I commend the Conservative party to learn in its own way. If we are serious about meeting global challenges, we cannot operate on the basis that some people who represent an important interest should be excluded from decision making. We must operate on the basis of partnership.

Mr. Sykes: In that case, will the hon. Gentleman take this opportunity to condemn the antique and outmoded strike that took place on Wednesday?

Mr. Cousins: As we all now know, Wednesday's strike was a deliberate result of secondary action by the Government. [HON. MEMBERS: "Rubbish."] Every commuter in the south-east of England and everywhere else in the country knows it. Just as in the past we sometimes went wrong when we had open caucuses and tea and sandwiches in 10 Downing street, so we should seek to discourage operating by secondary action—nods and winks from senior Ministers on how managers faced with managerial responsibility should behave towards their work force. Let us put things clearly on the table.

Mrs. Gillan: The hon. Gentleman said that every commuter in the south-east knew that Government action caused the strike. He may like to tell that to Mrs. Jo Franks who, when she heard that my Chiltern train line would run throughout the strike, said:

> "I wasn't sure whether to believe it at first but I am very grateful. I would just like to thank these people for letting me get to work."

Mr. Cousins: I should be happy to talk to Mrs. Franks, presumably of Amersham or Chesham. Indeed, we intend to do so because, sadly, despite our victory last Thursday, the refreshing new democratic socialism that will take Britain to success at the end of the century has not reached some parts of the country. We have still to convince the Cotswolds and some of those Tory heartlands of their error. Rest assured that we intend to do so. On the evidence of the last European elections, we are well on our way to

[Mr. Cousins]

success. A party that comes third in a constituency like Eastleigh must take stock of its position in its own heartlands.

Mr. Butler: May I preface my remarks by saying that Chesham and Amersham are nowhere near the Cotswolds. As the hon. Gentleman travels further south, he will find that out. He may be assisted in his tentative approach towards expressing a view from the Labour Front Bench about the rail strike. I would encourage that, as attempts to get a view from the leadership contenders, apart from the hon. Gentleman, have been unsuccessful. Is he saying that a Government who state clearly, as this Government have repeatedly done, that wage settlements grossly in excess of the inflation rate are not good for industry or the country generally are interfering? And is the hon. Gentleman tentatively groping towards saying that, with inflation at 2.6 per cent. and holding, an 11 per cent. wage increase is perfectly reasonable?

Mr. Cousins: If that is a criticism—*[Interruption.]* As the question is addressed to me, I shall take it as such. I am sorry that the hon. Member for Milton Keynes, North (Mr. Butler) thought that I was being tentative because I thought that I was simply being gentle. One should not draw a distinction between gentleness and tentativeness. I thought that I was extremely clear in my reaction towards the entirely unnecessary rail dispute which the Government managed to engineer this week.

Mr. Butler: Jimmy Knapp is not a member of the Government—yet.

Mr. Cousins: Jimmy Knapp will end this matter as a hero, in the Chilterns and the Cotswolds and in many parts of the country where, owing to the Government's action, people can no longer travel by train. As a result of their policies, in some parts of the country people will cease to go by train in the future—or, if they do, it will be at a much higher price.

On the question of wage settlements, the 1980s taken as a whole was a period without precedent in British history when earnings constantly exceeded inflation by a factor of between 60 and 100 per cent. That occurred at all points of the trade cycle and in all aspects of the labour market condition. It was a permanent feature of the 1980s. If that is a problem for the hon. Member for Milton Keynes, North-East—I understand that some people might regard it as a problem, although I do not see it as such—he should take the matter up with the Government because it has been a central feature of the British economic experience of the 1980s.

There was just one three-month period in the whole of the 1980s when earnings increases fell below price increases. Strangely, that three-month period coincided with the period that led to the dismissal, by her own party, of the former Prime Minister, Baroness Thatcher—an interesting coincidence which may throw some light on Conservative Governments' earnings policies.

Mr. Trend: Does the hon. Gentleman accept that, during the 1980s, many of the wage increases were accompanied by increased productivity and output and were genuinely earned in that way for the first time for many generations? What this country needs is a high-wage, high-skill, high-productivity and high-output economy, not, as he seems to suggest, a low-wage economy.

Mr. Cousins: I was responding to the point put to me. If the experience of the 1980s, when wages rose roughly twice as fast as prices, is fine, then let us not argue about it.

Mr. Butler: Will the hon. Gentleman give way?

Mr. Cousins: The hon. Gentleman is back again.

Mr. Butler: I must correct the hon. Gentleman, as he has not responded to the point that I made. It is right that I should give him another opportunity to do so. Does he think that a wage claim of 11 per cent. when inflation is running at 2.6 per cent. and holding is reasonable?

Mr. Cousins: I find it slightly surprising that a Government say that we should not pick winners and intervene in industry. That matter should be freely negotiated between employers and employees. That is not a matter on which politicians should strike a position. It is a matter of considerable regret that the secretive arm tugging that went on prior to the dispute this week brought that about when the process of negotiation was clearly signalled and was on course for an outcome satisfactory to both parties.

Mr. Sainsbury: This is an important point. I take it from what the hon. Gentleman is saying, on behalf of the Labour party, that he does not think that any Government, of whatever party, should take a view on the appropriate level of growth in earnings in relation to the rate of inflation. Is he saying that, although the Government are an employer and finance employers through the tax system, they should be totally disinterested in the level of wages paid and in wage claims?

Mr. Cousins: The Government should certainly not run secretive incomes policies operated in a random and arbitrary way and produce the kind of disputes that we have had this week. I remind the Minister that we are here to discuss competitive industry. I hope that he will forgive me if I move on to more substantive aspects. We are dealing with the "classic" Cola of the problems of industry and should move on to discuss the Pepsi Cola.

Mr. Sykes: Before we move away from the subject of wages, which is an integral part of running industry and therefore greatly concerned with competitiveness, will the hon. Gentleman say whether, if he were offered an 11 per cent. increase in his wage, he would accept or decline it?

Mr. Cousins: The hon. Gentleman must realise that we are not here to debate the rail dispute that occurred this week, or the way that the Government engineered it. That, I am afraid, is clearly on the record. Perhaps we may move on to the subject of our debate now, Madam Deputy Speaker, and discuss the issues before us. Conservative Members seem to want to speak about everything apart from the matter that the hon. Member for Hastings and Rye chose as the centrepiece of the debate.

One of the key things that the Government can do is to act as a good negotiator for British industry in foreign discussions. I hope that the Minister will tell us about the negotiations that are going on in relation to access to the American telecommunications markets. I hope that he will tell us how the Government sought to support British

Telecom in its arrangements with the American company MCI to gain regulatory access to the American markets for telecommunication services. I hope that he will also explain the Government's reaction to the objections that are being made by French and German telecommunications operators to that agreement, and tell us what steps he is taking to ensure that our telecommunications systems operators have full and free access to French and German markets.

That is a critical area for the development of British industry in which the Government have the ability to negotiate on behalf of British companies and British enterprise, in which, as far as we are aware from the outside, no such effective negotiation has taken place. The Government have not stood behind British enterprise and the British telecommunications companies.

As recently as this morning, an important report on research and development was published—the so-called "research and development scoreboard", which emphasises so many of the difficulties that are visible in the performance of British industry. We now discover that only 13 British companies are listed in the top 200 companies on research and development indicators. If we are seriously worried about global challenges, that should cause us considerable anxiety. We also ought to be anxious about the fact that the British companies that did appear in the list had half the commitment, in terms of the relationship of their turnover to R and D, to the other 187. Those are very significant indicators.

Mr. Trend: Will the hon. Gentleman give way on that subject?

Mr. Cousins: I should like to continue and complete my argument.

Those are significant indicators of a failure to perform adequately in the key area of research and development.

We have already alluded to the debate about the retention of dividends and the attitude of the stock market and banks to large dividend pay-outs. That is clearly demonstrated in that research and development scoreboard. The commitment of 187 of those 200 companies—that is, not the British ones—is that they invest in research and development more than 100 per cent. of their pre-tax profits and almost three times the amount of their dividend pay-outs. The 13 British companies that appear in the list contribute to their research and development 29 per cent. of their pre-tax profits and only 72 per cent. of their dividend pay-outs.

That is a clear signal that the financial markets, which measure corporate performance in this country, are not working to encourage research and development in the way that those same markets work in countries that compete with us. That should give rise to considerable anxiety. Business enterprises' commitment to research and development as a share of GDP in this country decreased during the 1980s and we are alone among the Organisation for Economic Co-operation and Development countries in that respect. That should cause considerable anxiety not only about our performance now but about our prospects.

Mr. Trend: Does the hon. Gentleman agree that, although we are all disappointed at the low percentage of money that is put into research and development, the picture in the past couple of years, especially through the past recession, has been much better than it was in the past —that companies have become aware of the importance of R and D and that they are putting more money into R and D? It is a low base, but it is an increasing base and it is good news for the future. That should be emphasised.

Many of the industrialists who gave evidence to the Trade and Industry Select Committee said that the thing that would most encourage them to put more money into research and development with a long-term view was a stable economic base. I believe that that is what the Government have now produced for industry.

Mr. Cousins: Let me answer that argument directly.

I infer from the hon. Gentleman's intervention that he is, in that respect, a Dorrellite, not a Portillo-ite. One of the attractions of the present Government and of the great supermarket of alternative policies on which we can draw is that the Opposition cannot pick the winners. That would not be an appropriate thing for us to do. Who can say whether Dorrellism or Portillo-ism will ultimately be the winner, but at any rate those alternative policies are set out for us and I commend the hon. Gentleman for taking up his position as a Dorrellite rather than a Portillo-ite in that regard.

Sir Michael Grylls (Surrey, North-West): Will the hon. Gentleman give way briefly on that subject?

Mr. Cousins: It must be very brief.

Sir Michael Grylls: I am grateful, because I know that the hon. Gentleman has been generous in giving way. He referred to dividend policy. Is he saying that it is the Opposition's policy to legislate to restrain dividends? If not, what is he proposing?

Mr. Cousins: I shall discuss that point directly.

One of the indicators of success that is mentioned in the White Paper on competitiveness—the Opposition agree with the Government's Department of Trade and Industry team that it is a true indicator of economic success—is the increasing share of business turnover that is going into investment. That process began at the depths of the recession, which is interesting. As people could not rely on their finances, businesses began to go for organic growth from their turnover and profits.

That is obviously the way forward, but if we are to sustain that development and if it is to become the way that we envisage British industry growing—I am delighted to know that there is more than one Dorrellite on the Conservative Benches this morning—we must tackle some of the key features of the way in which British industry is governed and financed. In five years of the 1980s, the banks put more into commercial property development than they put into manufacturing industry in 15 years. We must correct that. It cannot be corrected by legislation. It can be corrected by Government and others, through the social partners and by creating a culture of investment and growth in enterprise. It cannot be achieved by Government alone and it cannot be achieved by legislation, but the Government are a key player in changing the psychological climate and the investment culture in this country. The Government cannot duck their responsibilities in that respect.

If that is to be done, the stakeholders must understand what is happening. There must be a different relationship of banks to enterprise and of shareholders to enterprise —especially the big institutional shareholders, whose growth has been such a significant feature of the 1980s because of the development of pension funds and other

[Mr. Cousins]

financial instruments. One of the most curious features of the entire period of Conservative Government is that the influence of individual shareholders in companies and the proportion of shares that they control have steadily decreased. The fact that their numbers have increased should not disguise the fact that the influence that they exercise and the proportion of the equity that they control have gone steadily down.

The key relationship that has come about, therefore, in measuring the performance of the enterprise, in directing its strategy and in informing the way in which it seeks to grow, is the relationship between the big institutional shareholders and the company board. That cannot and should not be controlled by legislation, but it is something to which the Government can give a steer and a guide through the creation of the right kind of culture. It would certainly be our intention, through corporate governance changes and changes in financing arrangements, by sending signals and perhaps through the tax system—we should look at that—to change that culture and get that relationship right.

I go further than that. If we want to business investment itself to grow as a share of its turnover, the staff of the enterprise must also be fully informed and fully engaged and must fully understand what is going on. That is where the present Government's policy—of not putting an emphasis on social partnership and seeking to opt out of the European works councils arrangement and aspects of the social charter, which bring those social partners together—is undermining the basis for some of the indicators which we could agree are significant signals of a change in our economic culture and an improvement in our economic performance.

The hon. Member for Hastings and Rye gave an example of a company in her constituency—Philips. Philips would have gone down in Britain. It was saved in the Netherlands, because it had the advantage of Dutch company law and the strong stakeholder involvement in which the non-shareholding stakeholders were able to pick it up and turn it around. The hon. Lady should recognise that. She should recognise, too, the absurdity of the fact that Philips's European workers work through works councils, yet the British Government are trying to prevent its British workers from working through works councils. That is absurd and runs contrary to the whole idea of social partnership and of stakeholders sharing in decision making, which is the foundation of our future economic success.

Mr. Butler: Is not the hon. Gentleman ignoring the facts? When the decisions that led Philips to the brink of imminent collapse were made, those same stakeholders were also involved in those decisions. The same Dutch company law and commercial law informed those same decisions. Nothing changed. There was not a miraculous change whereby the stakeholders suddenly became involved and the company was saved. They were equally involved in the decisions that almost led to its collapse.

Mr. Cousins: It was the structure of Dutch company law that enabled that company to be rescued from a situation in which one of the key networks of shareholders, who, historically, had controlled the company, had made some key errors in terms of investment direction. It was the Dutch structure of company law that enabled that company to be turned around. If that company had been in Britain, it would have been taken over or would have gone down.

We learnt the this week that Scrabble, one of our sports, leisure, cultural, service-type contributions to the global market—and a very successful one—is about to fall into non-British ownership. What kind of country are we becoming if we cannot retain the ownership of Scrabble? A reform of stakeholder relationships to some of the key indicators is at the heart of our own policy of winning for Britain, and a reflection of that, albeit a pale one, can be found in the White Paper itself, and in some of the indicators that are chosen as the ones that we should adopt.

I am conscious of the time and have no desire to speak for as long as the hon. Member for Hastings and Rye, but let me state briefly some of the key areas to which I have alluded, and summarise them as being some of the key ways in which we see British competitiveness being built up. We must look at the workings of the financial system and the way in which it services British industry. We must look at the way in which companies are controlled and run, because in those corporate governance relationships are to be found the foundations of high levels of invest-and-grow policies and strategies to be adopted by British enterprises.

We must look at our performance in research and development in technology. There is some recovery there. We welcome it, but it starts from a terrifyingly low and narrow base. It cannot be right that, as regards our performance in research and development, we rely on one industry, and one alone—pharmaceuticals. The performance of that industry is brilliant and impressive. It is one of the great hopes for our future, but we cannot rely on superb performances in terms of invest-and-grow policies simply in one tiny part of the British economy and in one narrow sector of British industry. That performance must be diffused across the whole of our manufacturing industry.

We must do more about small business. That is another issue on which, when confronted with it, the hon. Member for Hastings and Rye said, "On the one hand this, and on the other hand that." The payment of interest on debt is a key way in which the Government can signal their support for small business. Surely the Government do not have to be told about the power of price signals. Putting a price signal into good payment practice is one clear way in which the Government can assist small business.

We have seen a growth of small enterprises in this country. We should all welcome that and build on it. But the wastage rate of innovation and start-up is staggering and tragic. Since 1979, this country has grown some 900,000 small businesses. We welcome that. But those small businesses have been starting up at the rate of almost half a million a year. Even if we take into account the fact that some of them are very small, the wastage rate, which is represented by the generation of half a million businesses a year, and the survival of only 900,000 in net growth after 15 years, represents human tragedy on a massive scale and the disruption of millions of people's lives. We must find ways in which small business not only comes into existence but is aided to stay in existence. A lowering of that terrifying weight of wastage is a one key way in which we can help our economy to grow.

In talking about competitiveness, there was one issue that the hon. Lady always ducked—social partnerships and social cohesion. We shall look carefully at the speeches that follow, however many there may be, because to talk about competitiveness and not talk about social partnerships and social cohesion is an enormous error. An economy will not grow unless every one of our people feels part of its growth and feels committed to and involved with its growth. No matter whether people are considering starting an enterprise, where they should be in the labour market or whether they should stay with their enterprise or move to another one, they should always feel a part of it. They should always feel fully involved and, committed to its success and to its performance. We should not shy away from that.

It must be a source of great anxiety to all of us that so many of our people are poorly educated, poorly trained, poorly motivated and are low achievers—not just at school, but in the labour market as well. It is worrying that many parts of our society are underachieving. We are not realising the full potential of our people. The building of social cohesion and a true partnership are key conditions for our economic success. Let us admit that there are too many spectacular examples of Roger Levitts and Oskar Botnars sending wrong signals to many of our people about the real nature of success and enterprise and performance.

It would be sad if in talking about competitiveness we were debating a concept that engaged the enthusiasm of only some of our people. In such a debate, we must also reach out to the "invisible" people who are entering internal exile. An extraordinary feature of the present economic indicators is that not only unemployment but employment is falling. Hundreds of thousands of our people are disappearing from the statistics into a form of internal exile. Those of us who represent tough areas know that those people are there. They are the giro drops, the panhandlers and the hustlers. That should also cause concern.

Let us build competitiveness but not attempt to deny the global challenge to which the hon. Member for Hastings and Rye referred and which lies in front of us all. Let us also say that all our people and our entire work force should be engaged in that and that they should take pride and pleasure in our future economic success.

11.21 am

Mr. Patrick Thompson (Norwich, North): I am grateful to have an opportunity to speak in the debate. I have not the slightest intention of speaking for as long as the Opposition spokesman, the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), who spoke for some 46 minutes. In view of earlier interventions, I find that rather surprising. I shall return to the subject of the hon. Gentleman's speech.

I congratulate my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on her good luck, which we all envy, in winning the ballot and on her initiative in choosing this vital subject for debate. I also congratulate her on her excellent speech, which I am able to criticise in only one respect—her use of a large number of acronyms. My speech will be brief and I must now try to make sure that it is totally acronym free. That may be easier said than done.

I listened with great interest to the lengthy speech by the hon. Member for Newcastle upon Tyne, Central. As is often the case with Opposition speeches, most of it was negative in tone and depressing in outlook and would not have uplifted anyone inside or outside the House. It is rather sad that so much debate goes on in College Green and I have no doubt that even at this moment many people on College Green are giving sound or vision bites to television. Those who take the trouble to listen to the debates—

Mr. Martyn Jones: On a point of order, Madam Speaker. I am sorry to interrupt the hon. Gentleman's speech, but have you had any notification that the Government intend to allow time to debate the Civil Rights (Disabled Persons) Bill later today? There are six or seven Conservative Members in the Chamber, but 6.5 million people in the country are waiting for us to discuss that Bill. Have you had any notification about that?

Madam Deputy Speaker (Dame Janet Fookes): That is strictly not a matter for the Chair nor for the Government. These are private Member's motions. I have no ability to control the length of this debate; nor do I have any foreknowledge of how long it will take.

Mr. Austin-Walker: Further to that point of order, Madam Speaker.

Madam Deputy Speaker: I have said that it was not strictly a point of order. Does the hon. Gentleman have a different point?

Mr. Austin-Walker: It relates to the fact that you referred to private Members' motions. A private Member's motion in terms similar to that which my hon. Friend wishes to move later was voted on and carried without any votes against. Can you say how that motion, which has been passed, may be given effect? It was that the House should provide time to debate the Civil Rights (Disabled Persons) Bill.

Madam Deputy Speaker: That is still not a matter for the occupant of the Chair.

Mr. Thompson: I have congratulated my hon. Friend the Member for Hastings and Rye on her choice of subject. Hon. Members in all parts of the House must agree that there is no more important subject for today's debate than competitiveness and wealth creation, which can do only good for the health service and education and other matters. None of us should feel ashamed of taking part in the debate. As I said earlier, I was struck by the time that Opposition Members appear to be taking up in a rather wasteful way. Not least in that respect was the over-lengthy speech by the hon. Member for Newcastle upon Tyne, Central. I wish to take part in the debate because of the importance of its subject.

I was struck by three aspects of the speech by the hon. Member for Newcastle upon Tyne, Central. He spoke about stability, which was also mentioned by my hon. Friend the Member for Hastings and Rye. Of course stability is good, but in the same breath the hon. Gentleman referred critically to policy on Europe. That is surprising from a spokesman for a party which has had seven reversals of policy on Europe in the years that I have been involved as a parliamentary candidate or as a Member of Parliament.

Secondly, the hon. Gentleman made the apparent admission that his party now has no policy on wage inflation. I was not surprised when my hon. Friend the Member for Hastings and Rye picked him up on that, and I suspect that we shall hear much more about that in the coming months. Thirdly, I am surprised at the lack of interest by Opposition Members in the debate generally.

[Mr. Thompson]

While the hon. Member for Newcastle upon Tyne, Central was speaking, I counted the number of Opposition Members who were obviously interested in the debate and intended to take part; judging from the attendance at the moment the number seems to be almost zero. That must be a reflection of their view of the importance of wealth creation, which we believe in and which the debate is all about because without competitiveness there is no wealth creation.

The only point on which I had any sympathy with the hon. Member for Newcastle upon Tyne, Central was when he struck a note similar to that struck by my hon. Friend the Member for Hastings and Rye in referring to short-termism, dividends and the operation of the City. In that respect, I was in sympathy not only with my hon. Friend but with some of the implications of what was said by the hon. Member for Newcastle upon Tyne, Central. There, at least, I found interesting points that were worth further consideration.

I shall concentrate on education and training, but first I wish to refer to the comments of my hon. Friend the Member for Hastings and Rye on the importance of infrastructure and roads. Any Member from Norwich must have a strong interest in communications, infrastructure and roads. Since I was first elected in 1983, I have campaigned for better road communications with Norwich and East Anglia generally.My hon. Friend is right: the Government should look at this not in terms of counting how many cars or heavy goods vehicles are using the A11, but in terms of the economic benefits to the communities involved. I am delighted to support what she said in that respect and plead with my right hon. Friend the Minister for Industry to speak to our Government colleagues—particularly my neighbour in Norfolk the Secretary of State for Transport, my right hon. Friend the Member for Norfolk, South (Mr. MacGregor)—who are concerned with these matters, to persuade them to continue fighting for better road communications for East Anglia. It is a credit to the Government that much has been done and that it now takes me only half the time to drive from Norwich to London that it used to take. However, there is still a long way to go to bring the network up to standard. My hon. Friend the Member for Hastings and Rye gave me an opening which I have taken to make a constituency and local point.

Better competitive performance is essential for our success in the European Union, in which there is no alternative to co-operation. We tended not to notice the recent vote in Austria because we were busy with our own elections, but in that referendum there was a 66 per cent. yes vote and the turnout was more than 80 per cent. That was encouraging and showed that Austria was not fooled by the wilder claims of the extreme right and others in that country. I gather that older people were predominant in supporting Austria's membership of the European Union. I do not know whether that had anything to do with the old person network to which the hon. Member for Newcastle upon Tyne, Central referred, but I found that an interesting point.

The approach of the White Paper on competitiveness is welcome and I congratulate Ministers on the work that they put into it and on the good message that it gives. The long-standing gap between our education and training performance and that of our competitors has long been recognised. The good news about the White Paper is that it has addressed the problem again and, I think, more vigorously than before. Thanks to the policies and actions of the Government, the gap is closing, but it must be eliminated altogether. It is not tolerable that there should be any gap between our performance in education and training and that of our competitors in Europe or elsewhere.

I welcome in particular the streamlined approach to the national curriculum, on which Ofsted—I have used an acronym, which has woken everyone up, but time or my memory does not permit me to give its full title—recently gave evidence to the Select Committee. According to that splendid organisation, standards have been raised in achievement and motivation, which must be due to the dedication of our teachers and the support of parents in the education system.

The White Paper is correct to concentrate on strengthening the vocational element of the last years of secondary education. I particularly welcome the new general diploma and its emphasis on mathematics, science and languages—the key subjects for our young people, whatever future careers they pursue. Britain cannot afford to have its young people less qualified than those in Germany, Japan or elsewhere. I heard at a recent Industry and Parliament Trust conference in the House that some of our industrialists are saying that it may be more worth while to employ a German boy who is well qualified vocationally and in engineering and to teach him English than to employ an English boy and give him the necessary technical skills. I hope that that is not true, but if it is, I hope that it will give the Government further encouragement to do more than they are doing at present on vocational and technical training.

I welcome the additional support and training for careers teachers. That is another important matter which I do not have much time to deal with in a shortish speech. The Government have been wise to provide an extra £23 million to ensure that the maximum number of 15 and 16-year-olds get work experience. All of this is good. The expansion in the range of schools' contacts with the outside world is bound to have an impact also on the responsibilities of head teachers and deputy heads. The White Paper—this is perhaps the only critical note that I shall introduce—refers to a voucher scheme working from 1995-96 to help with the training of head teachers. That is good, but it does not go far enough. For many years, I have argued for a much bolder initiative—a staff college, perhaps funded through the proposed new Teacher Training Agency, dedicated to the training of heads, deputies and other senior teachers. A voucher scheme is a tiny move in that direction, but I am critical to the extent that I should like to see more. I welcome the opportunity once again to put forward that idea, which I know finds favour in many quarters.

Not many years ago, I was a member of the Education Select Committee. We visited Germany, where we saw the key contrast between the strength and quality of its technical education at secondary and apprenticeship level compared with ours. As other hon. Members have said—I do not intend to speak at length on this as time does not permit—there are differences in culture between Germany and this country from which we can still learn. Of course it works both ways: there are many things that people in Germany can learn from our culture.

The good news is that we are now introducing modern apprenticeship schemes for 16 to 17-year-olds and accelerated apprenticeships schemes for 18 to 19-year-olds, which will provide them with vocational or academic qualifications and high-quality work, leading to recognised qualifications. These are all clear steps in the right direction. The £100 million that the Government have promised is good news, but I shall be one of those hon. Members, possibly from both sides of the House, who will be pressing the Government on training and apprenticeships. I am not in favour of ever higher public spending, but when considering priorities I would favour pushing training and apprenticeships higher up the list of priorities, and I suspect that Opposition spokesmen would not disagree with that sentiment.

The reaction of manufacturing and engineering companies and education and training bodies to the proposals on education and training in the White Paper has been very favourable. This is all good news. Perhaps my hon. Friend the Member for Stevenage (Mr. Wood), who has taken up his place on the Front Bench, will pass on to Ministers my welcome for the competitiveness White Paper and the opportunity to take part in the debate. Ministers must expect to be asked for more by groups interested in training, not least the all-party parliamentary group for engineering development, of which I am a member. A senior member of it—indeed, its treasurer—my hon. Friend the Member for Meriden (Mr. Mills) will take part in the debate later.

The Government deserve the strong support of both sides of the House for the initiatives outlined in the White Paper and for the work that they have done.

11.36 pm

Mr. Iain Mills (Meriden): I shall limit my remarks to manufacturing industry, particularly the car industry. Hon. Members will be aware of my involvement in the motor industry, which is at the forefront of our economic and industrial operations. That was recognised by the President of the Board of Trade in his remarks to the Industry Forum, which was set up by the Society of Motor Manufacturers and Traders. In deference to my hon. Friend the Member for Norwich, North (Mr. Thompson), I will not give the acronym. The society, along with the Department of Trade and Industry, has established the Industry Forum. My right hon. Friend the President of the Board of Trade said:

> "The automotive components industry is a major contributor to the UK's industrial performance. It plays a crucial role in the future competitiveness of our vehicle manufacturers."

I shall not continue the quote as that makes the situation pretty clear.

The motor industry is particularly relevant to this debate. I congratulate my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on her excellent speech, in which she was aided by the penetrating wisdom of Conservative Members. The Employment Select Committee investigated the attractiveness to Japanese business men of investing in Britain. It was clear that there were a number of factors, such as our language, but the predominant one was our work practices. Just as we compete to sell our goods, we compete for inward investment not only from Europe but from the world. The fact that the Japanese choose to invest in Britain—whether it be to manufacture motor cars or television tubes—shows that we are competitive, but we can never be competitive enough.

My motivation to leave my job as a senior manager in the car industry and to join the House in 1979 was to help to make changes which would make us more competitive. Given our productivity, the number of strikes and our industrial attitude in 1978-79, the changes that we have made are a fantastic achievement. It is not coincidental that they have been made over the same period as I have been an hon. Member, although I do not, of course, take full credit for the changes. We were greatly aided by Lord Tebbit, as he now is, who was at the forefront in introducing changes. As his Parliamentary Private Secretary, I greatly enjoyed seeing so many changes introduced. Democracy was introduced to the trade unions and the Government have introduced sense to the work force. Nissan, Toyota and Honda are manufacturing cars in Britain, the local content of which is about 80 per cent. About 80 per cent. of their products are sold abroad. It has been said that we do not export to Europe, which is correct as it is a single market, but I am talking of exports well beyond Europe.

The three Japanese motor manufacturers have created new jobs, and the same can be said of all the other companies that have invested in the United Kingdom. They are not taking jobs away from domestic manufacturers, by and large. The jobs have been created as a result of sensible work practices. They have certainly not been created by social partnership. It is clear to me that if we signed up to the social chapter and faced increased costs—£17 billion or whatever—we would become less competitive and less attractive to inward investment at a time when we need to do everything possible to keep our costs low.

Mr. Cousins: Does the hon. Gentleman think that there is a major Japanese investor in new manufacturing plant in the United Kingdom who is not already meeting and exceeding by far any requirement of the social charter? In his patterns of social partnership and worker involvement, the Japanese investor is blazing a trail for the rest of British industry.

Mr. Mills: The hon. Gentleman has a point. The Japanese are glad to admit that where they have introduced the Japanese system ~~in our~~ country the British have taken it over and improved it. Work practices in many Japanese companies in this country may be excellent. It must be remembered, however, that they are the practices that they have chosen. The Japanese made it clear to us at chairman level—it is usually president level in Japan—and through leading members of the Japanese equivalent of the Confederation of British Industry that they do not wish to have a centralised structure imposed upon them. They do not wish to be told that they must do this or that, that the working week must be 38 hours, and so on. If they wish to exceed their working practices, that is up to them. They do not want rigidity. They want flexibility. They wish to be able to consult the work force. They refer to their employees as associates or members of the company. They wish to be able to discuss with them the best way forward. If best practice schemes are introduced, the Japanese wish to ensure that they are paid for by productivity and that the return to the company will be greater. They say, "If you want all these good things, we must increase our productivity. We cannot lose productivity." By and large, their companies have succeeded because of the Japanese culture at the workplace.

[Mr. Mills]

The reaction of our traditional domestic manufacturers—Ford, Vauxhall and Rover—has been fascinating. These companies are in or near my constituency. They have adopted Japanese work practices and then exceeded them. Their approaches have perhaps been slightly different from those followed by Japanese companies. These companies have also increased their productivity. The chairman of BMW, Mr. Pischetsrieder, talked about the reasons why his company wished to buy Rover. He explained that it was partly because of Rover's products and partly because of their quality. I asked him whether BMW wished to buy partly because of Rover's work practices and its high productivity. His answer was yes. That is the chairman of a leading car manufacturer which achieves engineering excellence. He has given Rover great credit in saying that one of the reasons for thinking that Rover would be a suitable partner in facing the tough car world of the future was its work practices, along with quality and engineering. The Conservative Government can take credit for introducing policies that have allowed good working practices to be introduced and implemented. Management has been encouraged to manage and to achieve successes.

Of course, we must never stop looking for greater productivity and greater competitiveness. The Industrial Forum of the Society of Motor Manufacturers and Traders is a joint approach to try to improve best practice for car component producers and car manufacturers. There is obviously a need for funding and the society is concerned because it feels that there is insufficient funding. That may be because the funding for training is channelled through training and enterprise councils. Perhaps the Department of Trade could talk to the Department of Employment about ensuring that appropriate funding—it may not have to be additional to the funds now allocated to training—is channelled more specifically to the Industrial Forum so that increased competitiveness can be continued as a result of better training. If my right hon. Friend cannot respond today, perhaps he will inform me of his views in future. The forum is seen by the car industry as a most important initiative. It would be a great shame to lose it.

I met the president of the training standards officers to discuss his concerns and those of his members. By and large, they support deregulation, and so do I, but they are concerned that local government changes leading to more unitary authorities could lead to a loss of competitiveness, bearing in mind the number of training standards that would be involved and their competitiveness. If my right hon. Friend the Minister feels that that is not a matter for his Department, perhaps he will pass it on to the appropriate Department.

Manufacturing industry and industry generally is facing competition which is not confined to our partners in the European Union or others in the western world, all of whom face a level of social employment costs which are not dissimilar. Our unit labour costs, however, are well ahead of those of our European partners. As my hon. Friend the Member for Hastings and Rye said, we are increasingly facing competition from the Pacific—from Taiwan, the Philippines and Indonesia. As those countries become more sophisticated, which happens rapidly as a result of access to high technology on a turnkey basis, they become more competitive because they do not have our social practices and costs. Their unit labour costs are far lower than ours, but they have access to the same technology. There is a burning need to increase our competitiveness. It is no good making comparisons with European countries or other countries in the west. In the real world, we must compete world wide in terms of both goods and services. That is why it is so important that this debate is taking place.

The car industry has shown that it is at the start of our pull out of recession. Housing starts take far too long. About 17 per cent. more cars were sold last year than previously. Fleet sales have at last started to pick up. When I attended the fleet show a few weeks ago, I was amazed by the number of people present. There was a buoyant feeling among company managers, who were about to buy the latest of the cars produced in this country. Generally, company cars are usually British cars. I welcome the partnership between BMW and Rover. I know that the intention of improving the joint company's competitiveness will give both parts of it a far better chance in the future. One element of competitiveness is having a large enough base to ensure world-class engineering. Our domestic car industry now has that base.

11.48 am

Mr. Nigel Waterson (Eastbourne): I am delighted to be able to participate in an excellent debate. I join all those who have congratulated my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on her good fortune in securing the debate and on her good judgment in selecting this subject.

It was interesting to hear the views of the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) on the recent rail strike and a possible threatened rail strike. He reminded me of the old saying that when in a hole the best thing to do is to stop digging.

The almost complete lack of attenders and would-be speakers on the Labour Benches is remarkable. However, the complete absence of Members on the Liberal Democrat Benches is significant and I hope that point will not be lost on the House and the British public.

We have had some good news in my constituency over the past couple of days. The statistics show that unemployment fell in the last month by 6 per cent. Since December 1992, unemployment has fallen by more than 19 per cent. Like so many parts of the south-east, my constituency was hit extremely hard by the recession. That is one of the reasons why this debate is so timely. It is manufacturing industry which will primarily drag us quickly out of recession and promote and encourage the recovery.

Contrary to popular myth, Eastbourne has a strong light engineering and manufacturing sector as well as the obvious service and tourism sectors. The problem is that, as in so many places in the south—far more during this recession than in many parts of the north—many companies have gone out of business. It has been all too easy for politically motivated people and the people involved in those companies to blame what has happened purely and simply on the recession.

It is true that some of those businesses went out of business entirely because of the recession and the difficulties that it brought in its wake. I fear that some would have gone out of business anyway, perhaps because of the management or other faults in the company. I am sure that some went out of business because of the late payment difficulties about which we have heard, when large customers with whom those companies were doing business slowed up payments to aid their own cash flow and, as a result, brought down the smaller companies. I also have to say that some of those companies went out of business because of excessive regulation. Finally, I am convinced that some of them went out of business because of the attitude of the major clearing banks.

It is unfair to tar all the banks with the same brush. In some cases, the banks have leaned over backwards to help companies. To put it differently, in some companies the bank manager has done the owner a favour by drawing a line and bringing matters to a head instead of perhaps putting the owner's home or whatever in jeopardy.

However, there is a very strong feeling among local business men, which was revealed during a visit that I paid recently to the Eastbourne and District chamber of commerce, that the banks have not, for the most part, been helpful. People feel that the banks were far too ready to pull the rug from under companies as the recession took hold and, perhaps more relevantly, that the banks are not flexible enough with regard to new lending policy as the economy recovers.

We all know that, as an economy recovers, there is an extra danger of people going out of business, of cash flow coming under stress and of over-trading. That demands extra sensitivity from the major banks. The White Paper is particularly useful in respect of some of these matters. It makes the point that a significant proportion of total United Kingdom employment is in small and medium-sized enterprises or, to use the favoured acronym in this case, in SMEs.

With regard to international comparisons, a Bank of England report showed that overdrafts account for 56 per cent. of small firm debt in the United Kingdom compared with only 14 per cent. in Germany. That is a staggering difference.

In paragraph 9.11, the White Paper makes a point with which we are all familiar from our experience of talking to small business men and women. It states that

> "many businesses do not expect overdrafts to be withdrawn and come to rely on them as permanent sources of finance. This can give rise to misunderstanding and resentment when a bank wishes to reduce its exposure. There is evidence that both banks and businesses are now beginning to place greater weight on longer term finance."

Mr. Gary Streeter (Plymouth, Sutton): Does my hon. Friend agree that another worrying trend among our major clearing banks is the increasing tendency for decisions to be made at headquarters and not by the managers out in the branches who know the businesses concerned and the people behind those businesses and who are perhaps better placed to decide whether to support such a business? Increasingly, accountants at headquarters take decisions that are good for the bank's balance sheet, but perhaps very bad for the business.

Mr. Waterson: I am grateful to my hon. Friend, particularly for saying almost word for word something that I was about to say a little later. However, I am grateful to him all the same.

I want to refer to two recent cases in my constituency. I spend a lot of my time, as I suspect most hon. Members do during these recessionary times, talking to small business men. A road haulier, whose business had been going for many years, came to my surgery. He told me that he had plenty of business. He wanted to expand and to buy new lorries. However, he could not even get an overdraft facility from his bank. The most that he could achieve was a chequeing facility. That is incredible for a business of that sort where cash flow is obviously very much up and down.

The second case is perhaps even more dramatic and it concerns a firm that I visited in my constituency called Channel Triline. That company was formed as a result of a management buy-out and it produces window cladding for buildings. It has been very successful following the management buy-out. It had a positive balance at the bank and a good full order book. At the end of April, that stood at almost £1 million.

Despite the difficult construction market of which we are all aware, that company had a £1 million turnover in its first year and a £2 million turnover in the second year. It had won prestigious contracts such as the London central mosque in Regent's park and the new Glyndebourne opera house just up the road from my constituency. It had also recently secured a very important order for screens and windows at a new Cadbury Schweppes factory in Poland.

That company had an enthusiastic work force and management and, as I have said, it had a very full order book. When I visited it, one of the directors looked fondly out the window at a neighbouring empty industrial unit and said that he could fill it tomorrow with men and machines. He showed me a pile of letters from every type of bank and financial institution one could imagine, and some that one perhaps could not imagine.

Clearly, the figures that the director wanted to discuss were not suitable for venture capital organisations. It is fair to say that the company received some help from the know-how fund, for which it was grateful. However, it had little or no success with the small loans guarantee scheme. I fear that that scheme is still difficult for business men to access.

My point is that that company, with its full and growing order book, with a tremendous future and, by definition, with no outstanding debt, because it had effectively bought out a business that had gone into liquidation, could not obtain any facilities, not even an overdraft facility, from its bankers. That is incredible. As a result of that, there was the notorious equity gap. The company was unable to finance its day-to-day, let alone its longer-term, financial needs. Such companies, which need finance, perhaps of £500,000 or less, have a major problem obtaining it.

In recent days, it has been announced that that company is to be put into liquidation at the behest of the directors. They have suggested that to the shareholders simply because they cannot find any finance to run the operation.

It is difficult for hon. Members to comment on relationships between business entities and their bankers —one never really knows all the facts—but there is evidence, certainly in my constituency, that the banks are very inflexible at times in dealing with companies' financial needs and that they have an effective blacklist for certain sectors, of which the construction industry is one. It mystifies me how we are ever to see a recovery in that sector if the banks simply do not want to know.

My hon. Friend the Member for Plymouth, Sutton (Mr. Streeter) touched on the problem of inflexibility. We have seen swathes of redundancies among older and more experienced managers in the banking system and, as a result, I fear, the average local bank manager is much more susceptible to guidelines and directives from regional or head offices.

[Mr. Waterson]

But that is not to say that there are no success stories, including some in my constituency. One of our biggest companies in Eastbourne, the Nobo Group plc, which began life in a garage when two entrepreneurs found that there was a need for notice boards in industry, is now a very successful and substantial company. One of its subsidiaries, Elite Optics Ltd., has tremendously increased the quality of its designs, and its sales abroad have increased from less than 10 per cent. three years ago to more than 50 per cent. today. As a result, it also won a much-coveted Queen's award for export in April. That company is fighting hard to compete in an ever-more competitive world. The price of the hardwood that it imports from Malaysia and which is necessary for some of its products has increased by 40 per cent. in recent times. Such companies are at the coal face of competitiveness in our country.

Another example is Rhone-Poulenc Rorer Ltd., the pharmaceutical giant, which employs 600 people in my constituency. The important point to note about that company is that it spends approximately £28 million a year on research and development in the United Kingdom and that it makes a positive contribution of £50 million net to the United Kingdom balance of payments.

A company called HMD Seal/Less Pumps is another great success story in my constituency and it is well known to the DTI, with which it has had many discussions over the years. Some 84 per cent. of its turnover is sent overseas and it is competing on at least equal terms with the Japanese and many others. It has produced advanced designs and it has had some help by means of a DTI-subsidised consultancy under the enterprise initiative scheme. That company has effectively doubled its turnover in three years, which is a tremendous achievement in a recessionary time. It has substantial exports; it has exported to 20 countries in the past year. The management are very committed; they seem to spend much of their time travelling around the world.

I appreciate that the Government have decided for the moment that they will not introduce legislation on late payment. Like most small business men, I have mixed feelings on the subject. Of course there is a problem; we all know about it. I have described how some of the companies that went out of business in the recession in my constituency did so through no fault of their own or because of the recession but because people simply became slower in making payments. On the whole, my view is still that the Government should reconsider statutory rights to interest, and so on.

There is a significant feeling among my small business men and women that it would be a matter of who would bell the cat, particularly with a large organisation or even a governmental or quasi-governmental department, and that it is all very well giving people a legal right, but whether, in commercial terms, it would make sense for them to try to enforce that right when competitors might not be willing to do so is another matter.I still have some doubts on that score.

I am conscious that time is moving on, so I shall refer only briefly to deregulation. Obviously, I have been particularly concerned about deregulation in tourism because of my constituency. I am delighted at the various steps that the Government have been taking in the deregulation initiative. The Government, as we know, have just completed the first stage of their review of 3,500 regulations affecting business—it is staggering enough to think that there are so many regulations—and more than 500 measures have been identified for action. A rolling review will continue. Deregulation will turn out to be one of the great touchstones by which the success of this Administration is judged when the history books are written.

On health and safety, there is a dynamic to reducing the number of regulations. The review recommended a reduction of 94 such regulations, including the removal of more than 40 per cent. of regulations that currently affect business in general. My hon. Friends and I very much welcome the new deregulation task force under the able chairmanship of Francis Maude. The White Paper states:

> "The Government is determined to ensure that further regulation does not place unnecessary burdens on business. Before new regulations can be introduced, business will be consulted and the costs and benefits fully addressed."

That is extremely important.

What is particularly interesting is the way in which our views on deregulation are very much in the fast lane within the European Union. Other countries, such as, particularly encouragingly, Germany, are beginning to see things from our point of view. It is important to realise that there are various reasons for over-regulation. Often, the European Union is the source of the problem, but, all too often, it is the United Kingdom gold-plating regulations when they are translated into our domestic situation. There is also over-zealous enforcement.

Also, some problems have been brought about by genuine misunderstandings either by the people who obey the regulations or by those who try to enforce them, such as environmental health officers. One example of that—I will not dwell on it—is the electricity at work regulations.

There is also the problem of under-enforcement in some European Union countries. No one will persuade me that a building inspector in Sicily, for example, approaches his job with the same rigour as a building inspector in the home counties. We must address that problem. Although I am fairly unable to be persuaded on increasing the powers of some European institutions, the strengthening of the powers of the European Court to deal with the enforcement problem are to be welcomed.

I am grateful for the opportunity to participate in this important debate. I am pleased to see so many of my right hon. and hon. Friends present, but I am not surprised to see so few Opposition Members here. As I conclude my speech, the only person from any Opposition party gracing —if I may use that expression—the Chamber is the Labour spokesman, the hon. Member for Newcastle upon Tyne, Central. It is very good to see him in such splendid isolation. I will not press him, although I am willing to accept his intervention on the rail strike or his preferences for the Labour leadership.

We owe everything to British industry. The 40 per cent. of public spending that goes on social security, our defences, our education system and all the other good things are paid for by the taxpayer, but, ultimately, by the creativity, hard work and application of our business men and women, industry and commerce. They deserve our support as well as our thanks.

12.9 pm

Mr. Gary Streeter (Plymouth, Sutton): As always, it is a pleasure to follow my hon. Friend the Member for Eastbourne (Mr. Waterson) who talks enormous common sense. He is a real champion of the small business man in this country.

It is entirely appropriate that the my right hon. Friend the Minister for Industry will wind up this debate, because he is a friend to the west country. I am sure that he will understand if I begin my remarks by referring to the sad announcement that was made at Devonport dockyard of the loss of a further 850 jobs from that dockyard with effect from September. That is entirely as a result of the fact that there is not sufficient surface ship work for two dockyards in this country.

My right hon. Friend will understand that I share the anger and concern of people from our region in Devon and Cornwall at the announcement this morning. I urge my right hon. Friend to press our right hon. and learned Friend the Secretary of State for Defence to reconsider the decision that was made in June 1993 to place all surface ship work at Rosyth. There is a growing belief that it is now as plain as a pikestaff that there is not sufficient work for two dockyards. The Royal Navy wants a single dockyard solution; that would be better for the taxpayer. Of course, it makes tremendous sense for the defence of our nation for our ships and submarines to be maintained at one location.

I call on my right hon. Friend to press the Secretary of State for Defence to reconsider the decision and reach the only conclusion possible: there is not room for two dockyards. As we have the Trident contract, our future is guaranteed. We must bite the bullet and take the difficult decision to close Rosyth dockyard and bring the surface ship work entirely to Plymouth. I know that in addressing my right hon. Friend, as a friend to the west country, that message falls on sympathetic ears.

I must tell my right hon. Friend and my colleagues in the House that I will not stop my campaign until I believe that the right decision for the taxpayer, the Navy and my constituents is reached—a single dockyard solution which, sadly, would involve the closure of Rosyth dockyard.

I turn to the subject at hand today; the question of jobs and competitiveness in Plymouth, as well as in the rest of the country, is tied up with that. I am delighted to take part in the debate, because it seems that any debate on competitiveness divides the sheep from the goats. As we have heard, there are no Liberal Democrats present so I cannot comment on how llamas are placed in a debate of the push-me, pull-you variety à la Dr. Dolittle. Certainly, any debate on competitiveness divides the sheep from the goats, the realists from the idealists, and the people who live in the world as it really is from those who wish for some other sort of world—some far-off fantasy world.

The other day, my 12-year-old son asked me why all people could not have a job and be paid as much as they need to pay all their bills. I tried to explain that it would be great if we lived in such a world. However, that it is not the real world and it can never be the real world. My 12-year-old son will grow up and realise that; it is a pity that Labour Members never seem to take that truth on board.

I spoke in a recent debate at the university of Plymouth. During the question and answer session, one of the students talked about everyone having the right to a job. I asked her where that right to a job came from. There is no such thing as a right to a job, there is no divine right to a job and there is no natural law right to a job.

We need to create jobs. We do that by ensuring that our companies and businesses are competitive and are selling goods and services that people want to buy. That is the essence of competition. The truth, whether we like it or not, is that the world is an ever-shrinking global marketplace and our companies must compete to flourish. We need to compete to eat. We must ensure that our products and services are more attractive than those of our competitors.

When people decide to purchase goods, they look at quality, customer service and availability. By and large, if all those things are right, they then look at the price. We must ensure that the prices of our products compete favourably with those of our competitors in Europe, the United States, Japan and elsewhere.

I shall focus my remarks on a success story in Plymouth. We have a company on the Estover industrial estate called the Barden Corporation. It makes high-precision ball bearings. Hon. Members may find that a dull subject—*[Interruption.]* I should be delighted if they considered ball bearings an exciting product. Indeed, to see high-precision ball bearings being manufactured is exciting, because the skill level of the work force and the equipment involved are phenomenal and extremely impressive.

The Barden Corporation employs 250 people in Plymouth and it competes in a worldwide market. It has a sister company in Germany creating exactly the same product. I have visited Barden Corporation on two occasions in the past two years, and in the past few weeks I have spoken to the managing director, Dr. Graham Stirling. He is an excellent managing director—the sort of person who is giving British management a good name. He is keen to involve the best workplace practices.

Dr. Stirling told me that non-wage labour costs are so much higher at the German sister company than in the United Kingdom that the end product coming out of the German company is 25 to 30 per cent. more expensive than it is in Plymouth. I asked him what that meant for his sales, and he said that sales in the United Kingdom are increasingly dramatically and sales in Germany are reducing phenomenally. That is the sharp end of competition. That is where the rubber hits the road. It not only means that the Plymouth branch of the company is getting more business; it means that the German company has now decided that as non-wage labour costs in the United Kingdom are much cheaper—I shall come to the reason for that in a moment, although hon. Members may guess what it is—it will close down its manufacturing arm in Germany and bring it to Plymouth.

In the past six months, the company in Plymouth has taken on 40 more full-time employees, two thirds of whom are men. That is a direct result of being more competitive. That means that 40 of my constituents, who were depressed and lacking self-esteem at Christmas because they were unemployed, can now hold their heads high and enjoy the fulfilment of a rewarding job because our companies are more competitive than their German counterparts. That is the reality of the social chapter.

Mr. Michael Bates (Langbaurgh): The movement that my hon. Friend is talking about is not restricted to Plymouth. In the north-east of England, we can point to Black and Decker, which closed its production capacity in

[Mr. Michael Bates]

Germany and transferred it to Spennymoor for exactly the same reasons. That is the trend which we are talking about, and which my hon. Friend eloquently set out.

The Tory party is looking to the future, whereas the Labour party is constantly looking backwards to the days when perhaps they can reopen the shipyards, the steelworks and the coal mines which we know will never come back. They are mouthing the platitude of full employment while seeking to introduce measures that would remove the competitiveness that has introduced so many jobs into the north-east and Plymouth, and which the Opposition employment spokesman said will cause a massive loss of jobs.

Mr. Streeter: My hon. Friend makes a telling point. In one sense, he disappoints me. I had been under the impression that Devon and Cornwall were leading the nation out of recession into recovery. He tells me that is also happening in the north-east and I am forced to conclude that that is even better news.

I asked Dr. Graham Stirling why his products were cheaper than those of the German sister company. He said it was because we are not in the social chapter, or burdened by those extra costs and the extra inflexibility that the chapter and all its supporting social legislation entail and, therefore, his company in Plymouth has greater flexibility. He told me that at the German sister company, if management want to make a decision they must go through the committee process, consulting their works council, which was set up under German social legislation. That process takes months. The German Barden Corporation does not have the same velocity of decision-making as the Barden corporation in Plymouth, which means that Dr. Stirling can make the right decision now, rather than waiting for three to six months to make it. That means that he can give his customers what they want, and that is why the product in Plymouth is cheaper than that of the company's German counterpart.

Mr. Cousins: I am listening carefully to the hon. Gentleman's arguments, but I wonder how all the anecdotes stack up. Is it Britain or Germany that has a balance of payments deficit in manufacturing industry?

Mr. Streeter: The hon. Gentleman will soon find out that one group of people in the world increasingly realise the damage caused by the social chapter—German and French business people, who are increasingly aware of the fact that they are suffocating under the weight of social legislation and failing to compete with British companies. Pressure is mounting from German and French industrialists to cause their Governments to shake themselves free of the dead hand of the social chapter. It is a pity that the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) does not have his eyes open.

The Barden Corporation is one example of many companies that are doing well, free from the social chapter and it has the flexibility to give customers what they want, producing an end product at the price that they want. Opposition Members would probably say that such companies employ people on a sweatshop basis and are exploiting their workers—those poor workers, who work all the hours that there are, under terrible conditions, to produce high-precision ball bearings.

Opposition Members should open their eyes. I wonder whether they have ever visited today's modern factories in Britain. Have they looked at some of the workplaces or spoken to the staff concerned, as Conservative Members frequently do? If they did, they would realise that management is becoming increasingly enlightened. Managers believe in workplace empowerment. Managers such as Dr. Graham Stirling understand that the man putting the widget on the wodget knows best and that such workers are the people who guide and shape management decisions.

I have been to several similar companies in my constituency and just outside it and have spoken to the staff. They are very content with the legislation that is in place to protect them. They do not want further burdens from the social chapter and they are pleased to have a job.

The hon. Member for Newcastle upon Tyne, Central, who is the only Opposition Member present, can by all means have the social chapter and a national minimum wage, but he must not expect me to explain to the 40 families in Plymouth who have been put back in work this year why they are out of a job because of some ridiculous European legislation. That is where the rubber hits the road.

Last Friday, I attended a debate at Devonport high school for girls in Plymouth— *[Interruption.]* Hon. Members have obviously visited the school, which is one of three excellent grammar schools in Plymouth, one of which my daughter attends. The debate was on a number of issues and one of the sixth formers said that we must have the social chapter because all our workers are suffering without it. I told her that she should by all means have the social chapter, but that it would not be teachers, academics and intelligent high-fliers—the people who are advocating it—who would suffer. It would be the ordinary workers, who would be thrown out of a job onto the scrap heap of life just to satisfy some academic, theoretical notion of justice. I wish that Opposition Members would wake up to the real world.

We heard earlier about positive rights for employees, but they already have such rights. Opposition Members want to place all those so-called positive rights in statute.

The House will be pleased to learn that I have a very positive relationship with my wife. I know that it is important to listen to her, spend time with her, encourage her and share my overdraft with her. I do not need those things to be set out in statute or to be told the best way to conduct my relationship. It works on the basis of partnership. Management increasingly understand that their employees are their best asset. My wife is my best asset. I do not need a statutory instrument to tell me that. I do not need a Minister at the Dispatch Box to tell me how to love my wife. Management and employees today do not need chapter and verse set out in endless legislation to tell them how to conduct best practice in the workplace.

Mr. Cousins: Did the hon. Gentleman vote against the Child Support Act 1991?

Mr. Streeter: The hon. Gentleman, who has complained several times about the time that this debate is taking, constantly makes spurious and irrelevant interventions. If he wants us to get on to other business, he will learn to keep his counsel.

I have mentioned the impact of our being outside the social chapter. I feel so strongly about this—it is not merely words, or a totem pole around which Conservative Members dance. It means something; it means jobs in Britain compared to our European competitor countries.

We must not put off foreign investors by discussing and describing European legislation and our role in Europe so that they gain the impression that we do not see our future as being in Europe. Not many Members are by instinct more sceptical about European integration than I, but I recognise the economic reality. It behoves all of us, when we discuss such subjects, to take care to explain that we do not see our future outside the European business community, but very much within it, so that we continue to attract United States and Japanese investment, which we have been so successful in doing during the past few years.

Secondly, it is important that we do not give employees the impression that we are denying them some benefit. I believe with every ounce of my body that that is not true. Therefore, let us explain to people carefully that it is in their interests that we to continue to say no to the social chapter, so that those 40 families in Plymouth and thousands more in the nation are not denied the jobs which they so desperately need and so richly deserve.

Let us continue to persuade our European allies that it is in Europe's interests to shake ourselves free from the inflexibility and the suffocating nature of the social chapter. We are not just competing with Germany and France, but with America and Japan. For the sake of the future of Europe, let us continue to make our arguments in the European marketplace and in the corridors of power in Europe that it is in their own best interests to rethink the provisions of the social chapter, and to shake themselves free from it.

I have much more that I was going to say, but, in view of the time and of the fact that other hon. Members want to speak, I shall curtail my remarks. It is abundantly clear that, as we talk to business people in our constituencies, the economic framework for companies to compete abroad is now in place thanks to the policies of the Conservative Government. The thing that gives us the edge on our European competitors is our freedom from the suffocating and stifling provisions of the social chapter.

Now is not the time—just as we are coming out of recession and into prosperity, and just as enterprise is stirring again in this nation—to weaken our resolve and to go back to the bad old days of over-regulation and bureaucracy.

Mr. Barry Sheerman (Huddersfield): On a point of order, Mr. Deputy Speaker. There are hon. Members here this morning who are obviously filibustering to stop the Civil Rights (Disabled Persons) Bill being discussed again. I asked Madam Speaker earlier this morning whether she could introduce a time limit on speeches. I do point out in aid of that plea that, following the Government's leaving of the European exchange rate mechanism in disarray, the Prime Minister only spoke for 27 minutes and the Leader of the Opposition for 41 minutes. Today, on this Bill, there have been longer and longer speeches from Government Members to filibuster and to do down disabled people in this country.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I have nothing further to add to what Madam Speaker said this morning.

Mr. Streeter: I am incensed by that intervention. The hon. Member for Newcastle upon Tyne, Central spoke for 47 minutes and has intervened on a number of occasions, often with spurious and pathetic points. I yield to no one in my concern for the disabled. I am making a speech which I believe to be in the interests of my constituents, and I resent implications to the contrary.

In conclusion, now is not the time for us to blur our vision for the future or for us to yield to faint hearts, academics and theorists who want to enter into social legislation. Now is the time to stand firm and continue the economic regeneration of this nation.

12.31 pm

Mr. David Willetts (Havant): This debate is very important, and demands careful and considered discussion because the Government's White Paper on competitiveness is one of most significant that they have produced.

One of the particular strengths of the White Paper—I am pleased to see the Minister on the Front Bench—is that it is frank about the problems that Britain faces in improving its competitiveness; it is not simply a document announcing that everything in the garden is rosy. The document contains some criticisms which we must accept are significant in explaining Britain's poor industrial performance since the war.

In the discussion on management, for example, it says that an attitude survey of more than 1,000 managers in Europe's smaller companies found that

> "UK managers thought they were the best in Europe and their companies second only to Germany. Other countries disagreed, placing both UK managers and companies third out of five . . . this 'perception gap' was greater for UK managers than for any others".

We have a problem of complacency about the standards of management in this country.

On training, the document says:

> "technical qualifications tend to be less common and less well rewarded in UK industry than in . . . other countries".

The Government's meaty and substantial White Paper forces us to accept that we need to do more to improve the competitiveness of British industry.

It is admirable that my hon. Friend the Member for Hastings and Rye (Mrs. Lait) decided when she won the ballot to raise this subject. I am sorry that she is not in her place, but I believe that she is upstairs with *Hansard*, ensuring that her speech is as elegant to read as it was satisfying to hear. She made a point which I thought was particularly significant when she addressed the old canard about whether something is special about manufacturing industry.

My hon. Friend reminded us that many of the arguments about manufacturing industry turn on the completely bogus assumption that physical products are wealth-creating, while non-physical products are not. One of the great difficulties that one has in explaining to people from, for example the Soviet bloc—particular victims of that fallacy—is that the physical box of a computer may be much less valuable than the software programme which enables that computer to generate useful conclusions. In future, I can well imagine a world in which computers are given away free provided that the purchaser buys the software. Value increasingly rests with those services, not with physical products.

We are often told that we have suffered from a relative decline in our manufacturing industry. My hon. Friend the Member for Hastings and Rye did not mention the fact that that claim is often based on a statistical artifice. If a motor manufacturing company decides, instead of employing its

[Mr. David Willetts]

own staff in the canteen, its own security guards or its own in-house design team, to contract out the functions to an external caterer, security firm or design company—that is a widespread trend in British industry and a very healthy one—that is shown up in the statistics as a decline in manufacturing employment and a rise in services industry employment. The changes in employment that we are supposed to have seen in Britain in the 1980s and 1990s could well be statistical changes rather than real changes in the relative size of manufacturing and non-manufacturing industry.

Mr. Sheerman: That is absurd.

Mr. Willetts: I am sorry that the hon. Member for Huddersfield (Mr. Sheerman)—the only representative of the Labour party present—does not accept that possibility, which the Confederation of British Industry has pointed out in the past.

Mr. Sheerman: I speak as someone who represents a true manufacturing constituency. I disagree with the hon. Member because, according to all the other criteria, the number of people employed in the manufacturing process for engineering, chemicals and everything else declined steeply during the 1980s. I am sure that the Minister must agree with me.

Mr. Willetts: My precise point is that the business of measuring the number of people involved in the manufacturing process is a jolly sight more complicated than the hon. Gentleman seems to accept.

Mr. Sheerman: Let me take the hon. Gentleman out and about around the country.

Mr. Willetts: Havant, which I represent, also has a strong manufacturing base.

As a result of what has been achieved since 1979, it now takes two people to manufacture the same thing that it took three people to make in 1979, when the Labour Government were in power. We can take pride in that achievement.

That intervention from the hon. Member for Huddersfield offers me a good opportunity to draw attention to some of the distinctions between Conservative and Labour policy on the subject. Perhaps the most important is that we care about the competitiveness of British industry—unlike the Opposition, as is all too apparent; the empty Opposition Benches bear eloquent testimony to the Labour party's apparent lack of interest in our competitiveness.

One of the arguments so often adopted by the Opposition—and, sadly, by some people in the media—is that the fact that we believe in competitive and flexible labour markets means that we believe that Britain can survive and thrive only as some sort of sweatshop in which people earn low wages so that they can compete with the poorest countries of the third world. A flexible labour market involves much more than just wages, as several of my hon. Friends have explained.

Havant is home to an IBM factory and I am pleased to report that that factory's employees are well paid. When it competes for big manufacturing contracts with IBM factories elsewhere in Europe, the fact that its staff can work three 12-hour shifts a week—whereas 12-hour shifts are impossible in many continental countries—and can work on Saturdays without having to go through complicated negotiations through multi-tier consultation procedures, gives that factory, like other manufacturing plants in Britain, a competitive advantage. That is what real flexibility in the labour market is about. It has nothing to do with cutting the last 10p an hour off people's wages; it enables managers and work forces to operate together in the way that they think best.

Another crucial distinction between us and the Labour party is that we understand that open markets and free competition represent the best way in which to improve the performance of our industry. Too often in the past we have been tempted by the idea that by picking a winner and concentrating industry on one particular firm of international size we will be able to face the competition. All the lessons from the serious analysis that has been done shows that that is the exact opposite of the truth. The best way to have an industry that is competitive internationally is for it to face intense competition domestically from rival domestic manufacturers and also from imported products in a free trading environment with the lowest possible tariffs. That is the best way to stimulate local industry to be as successful as possible.

Various gurus have written about business success. I confess that I have long been an admirer of Michael Porter of the Harvard business school, who has written on that subject. In his publication, "The Competitive Advantage of Nations", he says:

> "Intense local rivalry is one of the most significant pressures on companies to innovate and upgrade. Companies almost never succeed abroad unless they compete with capable rivals at home. Such rivalry forces competitors to lower costs, improve the quality of their products and services, and create new products and processes . . .
>
> Vigorous domestic competition ultimately pressures domestic competitors to seek global markets and toughens them to succeed there."

The dangerous illusion that, if only we had big British firms of an international size that could look to a large domestic market, we could deliver industrial success, did much damage to British industry in the 1960s and 1970s as Governments set themselves up as marriage brokers, bringing together disparate firms in large organisations, which, sadly, could not thrive internationally.

Too often, the Opposition draw the wrong lesson from the Japanese experience. We are told that Miti has somehow steered Japanese industry along the route chosen by Japanese officials. Far from it. Miti's strategy for Japan in the post-war period was to have one Japanese car manufacturer, but the entrepreneurial spirit of Japanese car manufacturers would not allow that.Three, if not four, significant domestic car manufacturers were fighting for a share of the Japanese domestic market. That is what gave Japan its enormous competitive advantage in motor manufacturing, not grand strategies formulated by Japanese officials.

The recognition that domestic competition drives competitiveness is a crucial distinction between the Conservative and Labour parties. Another distinction lies in our view about the significance of inward investment. We all understand that one of Government's great successes has been to attract nearly half the American and Japanese investment in Europe to this country since 1979. Because of the success of that investment, one of the few predictions that one can confidently make, in a changing world, about the structure of the British economy in the next decade is that manufacturing industry will increase as a proportion of British gross domestic product, as Japanese car plants and colour television factories come on stream and increase our manufacturing output.

How have we attracted international investment to this country? My right hon. Friend the Minister for Industry kindly visited a conspicuous example of that inward investment earlier this week when he opened an extension to the plant run by Wyeth, an international drug company, in my constituency. Wyeth has made a £20 million investment in manufacturing and packaging over-the-counter medicines for the entire European market. It carried out the review which many international firms carried out as the single market loomed. Having looked at its various factories dotted around the European Community, it decided that it was silly to continue to manufacture in so many places. In order to concentrate its manufacturing, it decided to close several plants but took the strategic decision to expand its British plant.

I took the opportunity of Tuesday's meeting to ask members of the firm's senior management from America why they had taken that decision. They said that it was because Britain had lower tax rates, a well-trained work force and an environment that was favourable to business. They said that, although the British regulatory regime that applied to pharmaceuticals was tough—they had no objections to tough regulation—it was also stable and predictable, and one could get decisions out of the regulators fast. Those are the keys to competitive success and the reasons why we have attracted investment to this country. I take this opportunity to thank the Minister for coming to Wyeth on Tuesday to open that plant—I know that he had to speak in a debate on GATT later that day.

Mr. Flynn: The hon. Gentleman refers to inward investment in industry. Does he not think it a rather one-eyed approach to disregard altogether the outward divestment of jobs, such as the jobs at INMOS in my constituency? One of the most brilliantly successful state-of-the-art computer companies in the world went from this country and resettled in Italy and France, just as Parke Davis went to Germany and other jobs go to the continent. Does not he agree that we cannot make a rational judgment if we not only disregard the outward divestment of jobs to Europe but do not even count them? If he would like to check on that, he can ask Ministers, as I have done, how many British jobs have been siphoned out of this country to Europe. No figures are collected about those jobs.

Mr. Willetts: In a modern world economy, of course businesses will move in and out. There is no point in trying to pretend that the British industrial base will remain fixed. The important thing is the net flow, and the net flow has been very successful.

Although I bow to the hon. Gentleman's expertise in relation to INMOS, as it is in his constituency, I regard the story of attempts by successive British Governments—and especially the last Labour Government—to prop up British industry in that respect as another warning of the way in which picking winners can easily go wrong. We do not hear in those stories about the higher taxation borne by employees and companies to finance Ministers picking the firms that they wish to subsidise. We have a sophisticated capital market, allocating resources into micro-electronics and chip manufacturing. I see no reason why the decisions of industry should be interfered with by Government in that respect.

I shall now discuss one or two things that Governments can do, because Governments obviously have a responsibility in improving industrial competitiveness, as my hon. Friend the Member for Hastings and Rye rightly said. One of those things relates to education and training.

I believe that education is much more important as a Government responsibility than training. I become worried by demands for big increases in Government expenditure to subsidise training. Training is a matter, above all, for employers and their employees: at the training level, it is for the firm to work out what skills it needs to thrive.

It is a responsibility of Government to ensure that people emerge from school well educated. Often that does not involve their being masters of the latest technical fad, because that may change in a few years. It is a matter of giving people a rigorous education so that their minds are sufficiently well trained to enable them to keep up with scientific and intellectual developments in the decades ahead. I hope that it does not sound too old fashioned to argue that a rigorous training in the classics, English literature or mathematics may well be a better basis for creating a highly skilled work force in future than trying to run after the exact state-of-the-art keyboard techniques, which will change.

I suspect that a traditional British education has been crucial in the success of British service industries such as advertising. It is important that subjects that have a history, a discipline and a rigour are not displaced by various studies that are not difficult enough to guarantee that the children who are educated in them emerge with a sufficiently rigorous education.

Mr. Trend: I wonder whether my hon. Friend has read the evidence that Gottfried Bruder gave the Trade and Industry Select Committee, in which he said:

> "In most continental countries most people would have no problem in declaring that the broadest possible general knowledge is an integral part of education. Vague concepts of personality formation . . . seem to dominate in Britain."

That is one of our key problems.

Mr. Willetts: I am grateful to my hon. Friend. Of course I agree with him about that.

The Government have further responsibilities. One aspect, which is discussed eloquently in the White Paper, is public purchasing. The discussion in the document recognises the significance of public purchasing. I am slightly worried about some of the ways in which public purchasing is developing.

One of the liveliest debates that is going on at the moment—it has already cropped up this morning—is about British standard 5750. I must confess to being—I am afraid that the Minister might not agree with this—a bit of a sceptic about BS 5750. One of the things that worries me is the way in which Government Departments, local authorities and public bodies now say that the only way to get on to their list of approved suppliers is to have BS 5750. We know what happens. An artificial market is created in which consultants pop around and say, "If you pay us £1,500, we will get you BS 5750." Many of the industries and services involved do not seem to me to be suitable for BS 5750. Perhaps I can give one example of that.

[Mr. Willetts]

A junior trade of my own is that I undertake a modest amount of pamphleteering. I was surprised the other week when a think tank—the Social Market Foundation—published one of my pamphlets on health policy, which was priced, if I remember correctly, at £7.

Mr. Trend: Modest.

Mr. Willetts: Who knows whether it was worth that or not? A health authority wrote in and ordered the pamphlet, and it was sent off with an invoice. A few weeks later, we had a request from the purchasing side of the health authority saying that, as part of the process of securing BS 5750, it needed to investigate the quality of all its suppliers, and asking the Social Market Foundation to fill in the enclosed form so that it would know that it was dealing with an approved supplier. I thought that that was taking the BS 5750 approach to public purchasing just a little bit too far.

Mr. Alan Howarth (Stratford-on-Avon): I am extremely interested in what my hon. Friend says, and it should be noted that his latest pamphlet, just produced by the Social Market Foundation, is now priced at £10. As it was only a short time ago that his pamphlet on health policy was priced at £7, what are we to conclude from that? I take it that the quality of my hon. Friend's thinking and the ideas that he has to offer by way of policy have continued to appreciate by a quite remarkable extent. I am very ready to believe that. Will he confirm that that is the case?

Mr. Willetts: My hon. Friend is quite right. I have to confess—and I am grateful for the plug—that my latest pamphlet, "Civic Conservatism" is indeed priced at £10. It is a larger and fatter pamphlet, and we price it by the yard. That is the explanation.

The final area in which there is Government responsibility is, of course, regulation and deregulation, to which several of my hon. Friends have already referred. We must ensure that the burden of regulation that industry faces is not too heavy. That is why the deregulation initiative is so crucial. Although we all support it in general, the test of the success of the deregulation initiative will be the individual difficult decisions that have to be taken. In particular, it will come whenever there is a panic about some particular problem; as democratic politicians, we all find ourselves under pressure from the people in our constituency surgeries and from people in the media who say, "Why won't the Government legislate to do something about that?" The next time there is a salmonella scare, we should not rush into something like the Food Safety Act 1990, because policy making by panic, in which we suddenly impose a new set of regulations after the latest accident and disaster, is something in which to engage in haste and about which to repent at leisure. That requires discipline on all of us. It will require tough decisions in future.

I hope also that it will be possible to ensure that the regulatory regime remains simple and stable. We now have industries, such as broadcasting, where the number of regulators with an interest has multiplied so much that it is difficult for an individual television company or broadcaster to know exactly whom they have to deal with. There are roles for several different regulatory bodies, and that can cause confusion.

I hope that, in education and training, public purchasing and deregulation, the Government can pursue the admirable initiatives that they have already launched to ensure the crucial objective in which Conservative Members believe—making the British economy and British industry as competitive as possible.

12.53 pm

Mr. Alan Howarth (Stratford-on-Avon): I shall concentrate on one aspect of the competitiveness of the United Kingdom—the contribution that disabled people can make to our economic competitiveness. I congratulate my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on her choice of subject for debate. I believe that she made that decision imaginatively and tactfully, because it enables us to discuss an issue with which she—in her capacity as Parliamentary Private Secretary to the Minister for the Disabled—is very much concerned.

I hope that there will be time to debate the second motion on the Order Paper. Perhaps we will have an opportunity to do so, because I am sure that my hon. Friends recognise the desirability of the House having an opportunity for a further debate on the Civil Rights (Disabled Persons) Bill.

The subject for debate now is the competitiveness of the United Kingdom. There is no doubt that in the rapidly emerging world of global interdependence and global open trade which the new GATT agreement has done so much to bring closer, the competitiveness and quality above all of nations' work forces will be at a premium.

At a conference on equal opportunities organised by the CBI last September, Mr. Howard Davies, the director-general of the CBI, observed that

"unless we secure the best contribution from all the talent that is available to us we will simply not be able to compete effectively."

That is right, and at the moment, to too great an extent, our society is denying itself the contribution that disabled people can make to our economic performance.

Disabled people are three times more likely to be unemployed, and they are unemployed for longer. When they are in work they are in lower-paid jobs and worse working conditions. A survey by the Spastics Society found that a third of employers who were willing to interview would not interview an applicant for a job who had qualifications equal to other applicants but was registered as disabled. But all the research evidence shows that disabled people are good workers. Nobody should be surprised at that because they appreciate the fact that they have an opportunity to work, and they are determined to hold their jobs and to make the best contribution they can. The survey evidence demonstrates that disabled people are average or better job performers and average or better in attendance.

The booklet produced by the Department of Employment which is entitled "Employing People with Disabilities" states:

"People with disabilities are likely to have had a lot of practice in converting day-to-day obstacles into opportunities. They often develop extra skills because of their disability, such as effective communication, good concentration, dealing positively with change and the ability to recognise and use opportunities imaginatively."

Those are, indeed, among the most sought-after qualities in employment and it is good to see the Government recognising that reality.

We know that the potential of people who have the misfortune of some impairment to be able to overcome it so that it is not, in effect, a disability has been greatly enhanced by the development of information technology. People with serious disabilities are none the less frequently able to make an extremely valuable contribution to economic activity through the use of computers and working at keyboards.

The contribution that disabled people can make to the United Kingdom's competitiveness is before us all because of the Civil Rights (Disabled Persons) Bill, but in any case it is an issue which we should address. The Government have started to think about the economics of it because they have produced a compliance cost assessment in relation to the proposals in the Bill. The figure that they have produced for compliance is £17 billion. A compliance cost of £17 billion for a measure before the House is an extremely important issue in relation to the competitiveness of British firms and the British economy. But I have to say that regard that figure as very implausible. I believe that a Department of Social Security official was quoted anonymously as going so far as to say that the figure was plucked out of the air.

It is certainly true that the time scale for implementing and complying with the provisions of the Civil Rights (Disabled Persons) Bill is not limited to the five-year period that seems to be supposed in the compliance cost assessment. It is strange that a document, produced by the Government after Committee proceedings on the Bill had concluded, ignored the important all-party amendment, which was readily agreed in Committee, to provide that the timetable for compliance with aspects of the legislation would be at the discretion of the relevant Secretary of State. The assessment tells us that compliance costs for transport services will amount to £6 billion. It assumes that compliance would be required over a maximum period of five years, but the Bill does not contain such a proposition. The Bill would allow the Secretary of State for Transport to require implementation over a much longer period. He could follow the model of the United States of America, where the federal Government have said that a 20-year period is appropriate. Plainly, all vehicles will be replaced over 20 years. That £6 billion figure, therefore, disappears from the compliance cost assessment.

It is incumbent on the Government carefully to analyse the realities of the costs because much is at stake. Enormous benefits and opportunities for our economy and our international competitiveness will result if we mobilise the talents and abilities of so many disabled people, who as it is are denied the opportunity to make their contribution to society and to our economic performance, often because of simple misunderstanding, but too often still because of prejudice and discrimination.

Ministers should address themselves systematically and open-mindedly to the potential benefits of the Bill. In the document, the Department of the Environment invites us to contemplate construction costs of £10 billion, a very round figure that it has conjured out of the air. Ten billion pounds of additional construction activity would be very important to the economy. Such economic activity would create enormous benefits in employment, tax flows to the Exchequer, national insurance contributions and the modernisation of buildings and plant, which would improve the competitiveness of the British economy.

The Institute of Directors considers that the benefits that would be conferred on the economy and our competitiveness if the Civil Rights (Disabled Persons) Bill were introduced are tangible and quantifiable. It no doubt draws some encouragement from evidence offered by the National Federation of Small Business Owners in America, which has said that the introduction of comparable legislation—the Americans With Disabilities Act—has led to new business opportunities. That is not surprising if one considers what a large consumer market there is among disabled people. There are 6.2 million disabled people in this country. If they are better enabled to avail themselves of the opportunity to participate in a range of economic activities in our society, all sorts of new business activities will result. It will lead to a strengthening of the economy's domestic base, which, as a number of my hon. Friends have argued, is an essential precondition for our international competitiveness and our export capacity. That factor cannot sensibly be ignored.

Even if the compliance costs that the Government have crudely and exaggeratedly estimated at £17 billion were to prove correct, we have to net off against that figure the benefits to the economy and to competitiveness of enabling disabled people to have the fullest opportunity to be workers and consumers. That is a large amount to be deducted from the £17 billion. If we bear in mind the fact that the £17 billion should be spread over, say, 20 years, we are talking of compliance costs averaged at less than £1 billion a year. If the economic benefits are then taken into account, I strongly suspect that we would be left with minimal or perhaps zero net costs. There would be the benefit of enabling a significant element of our population to be employed and to make the contribution of which they are potentially capable.

I hope that my right hon. and hon. Friends who are Ministers, and especially those at the Department of Trade and Industry, will make a new, more careful and, if I may say so, more open-minded study of the issue. I have been slightly disappointed with the response so far when I have tabled questions for written answer. Only this week, my right hon. Friend the Chief Secretary to the Treasury once again declined to undertake a cost-benefit analysis. He said that the relevant information was not easily available and that the cost of undertaking the exercise was disproportionate. I recognise that it would be a difficult and sophisticated exercise. I recognise also that it is not an exercise which could be carried out with absolute precision. At the same time, I feel that the potential benefit of ending discrimination is so great that it would be worth the investment of time and energy and resources within the Treasury and the Departments of Trade and Industry and of Employment—the economic Ministries—to make a thorough and systematic study of the issue. There are huge benefits for us if only we know how to avail ourselves of them.

Mr. Peter Thurnham (Bolton, North-East): I am enjoying my hon. Friend's speech. He has spoken well about the contribution that disabled people could make. Does he agree that the public sector could play a greater role in providing further opportunities for disabled people? Although the Department of Employment has fulfilled its

[Mr. Peter Thurnham]

quota, not many other Government Departments have done so. Some public bodies, such as the BBC, employ hardly any disabled people.

Mr. Howarth: My hon. Friend makes a helpful point. The Government have suggested that the £17 billion cost of compliance would fall entirely on "private industry". I think that that was the term used in answer to a question not long ago. That is a misconception and my hon. Friend has given me the opportunity to draw attention to it. The cost of compliance would fall extensively across the public sector as well as the private sector. It is incumbent on the public sector—especially the Government, who should take a lead—to ensure that it does everything that it can to maximise opportunity while minimising its costs. We must recognise, of course, realistically and responsibly, that costs will be incurred. I reiterate, however, what I consider to be the profoundly important argument that there would be major benefits in the long term. In unlocking economic potential, there would be major benefits to the public sector as well as to the private sector.

The Government have made the welcome announcement that they are embarking on consultation in a number of relevant sectors such as financial services, transport and access with a view to considering what policies might be brought forward. The Government have gone so far to say that that will be done with a view to preparing a Bill that would focus, to the satisfaction of employers, of the Government and of disabled people, on discrimination and on providing opportunities for disabled people to make their contribution to our national life, including, importantly, our national competitiveness.

The Government have promised that the consultation will be completed within six months of the announcement. I think that the announcement was made a month ago. It is exciting and encouraging, as we are clearly moving forward quite rapidly in the development of policy, with the Government playing a major part in a constructive approach to the matter. Notwithstanding the reluctance to date of my right hon. Friend the Chief Secretary to the Treasury to cause his Department to consider the economic benefits of anti-discrimination legislation, the Government will inevitably have to consider the matter. It is not too soon to consider the methodology of such an inquiry.

We must consider the matter on a micro-economic level, to discover the implications of equal opportunities for disabled people at company level. A great deal of evidence could readily be made available. Some of this country's leading and best-established firms, including British Telecom, British Gas, Boots and McDonald's, are members of the Employers Forum on Disability. Those companies can demonstrate to other businesses that good practice in relation to disabled people is good business. They can show that disabled people can make a distinctive and particularly valuable contribution to business activities. Those companies would be able to offer useful advice by way of detailed case studies and show the benefits as well as the costs in their operations. They would be able to offer evidence about policies that they have chosen to adopt at company level to encourage disabled people.

Far from the costs being significantly disadvantageous, I believe that we will find that those firms have gained enormous benefits. I am sure that they could also provide evidence to show that equal opportunities for disabled people, just like equal pay for women where they do work of equal value, is not ruinous for companies, as many feared at the outset.

I hope that my right hon. Friends will be willing to consult organisations such as the Employers Forum on Disability and the CBI. The CBI has told me that it is anxious that the benefits of the policy change, which it must anticipate is going to come, should be assessed seriously and responsibly.

A cost-benefit analysis would also have to consider the macro-economic benefits, but we have already discussed those.

In this intensely competitive open-trading world which is so rapidly unfolding, our competitiveness will depend above all on the quality of our work force. The United States, Canada, Australia and New Zealand have already recognised that they cannot afford to deny themselves the contribution that disabled people can offer. They have realised that they must avail themselves of that large, latent source of strength. Most of the countries of continental Europe are lagging in that respect, as are countries in south-east Asia, so we have a good opportunity now.

Hon. Members on both sides of the House know that there is no future for the British economy in chasing labour costs down market. We will never succeed in competing on wage costs with the Chinese or the Brazilians. We must develop and release all the best potential of the people in our society. That is right in moral and humane terms, and it is at the least prudent economically.

We must find the best ways to get disabled people into work. I welcome the improvements in the disability working allowance. As we are discussing this aspect of competitiveness and what the disabled can contribute, I congratulate my right hon. Friend the Minister for Social Security and Disabled People on what he has been able to achieve here. Perversities remain in the social security system which must be addressed. It is absurd that if a lone mother with two children increases her earnings from £80 a week to £180 a week she keeps only £20 out of that increase. Much more work remains to be done to ensure that all our people encounter no more discouragement to enter work and to earn more or to contribute than is absolutely unavoidable.

Of course, we need to invest more in education and training. Referring again to the contribution that disabled people can make, training and enterprise councils need to do more than many of them are currently doing. TEC performance in that respect is variable. Some are imaginative, enlightened and forward looking, but the Spastics Society survey entitled "Wasted Opportunities" showed that there are too many wasted opportunities in that aspect of TEC responsibility. I hope that my right hon. Friend the Secretary of State for Employment will use all possible leverage to ensure that TECs offer the best training opportunities that can be provided for disabled people. The Department of Employment has leverage in this because it must approve TECs' corporate plans and provide their funding.

We must encourage and enable all our people, including disabled people, to make the best contribution that they can to our economy. It is for us to decide how to do that at national level, and we should do so.

Notice being given that strangers were present, Mr. Deputy Speaker, *pursuant to Standing Order No. 143 (Withdrawal of Strangers from House), put forthwith the Question,* That strangers do withdraw:—

The House divided: Ayes 0, Noes 51.

Division No. 265] **[1.15 pm**

AYES

Nil

Tellers for the Ayes:
Mr. Dennis Skinner and
Mr. Martyn Jones.

NOES

Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Bates, Michael
Bendall, Vivian
Booth, Hartley
Chapman, Sydney
Deva, Nirj Joseph
Dover, Den
Duncan-Smith, Iain
Faber, David
Flynn, Paul
Fry, Sir Peter
Garel-Jones, Rt Hon Tristan
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Grylls, Sir Michael
Hague, William
Hanley, Jeremy
Hayes, Jerry
Hughes Robert G. *(Harrow W)*
Jessel, Toby
Kirkhope, Timothy
Knight, Greg *(Derby N)*
Lait, Mrs Jacqui
Lightbown, David
Lloyd, Rt Hon Peter *(Fareham)*
MacKay, Andrew
Madden, Max
Mates, Michael
Mills, Iain
Moss, Malcolm
Patnick, Irvine
Porter, Barry *(Wirral S)*
Robathan, Andrew
Ryder, Rt Hon Richard
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Trend, Michael
Waterson, Nigel
Wells, Bowen
Whitney, Ray
Whittingdale, John
Willetts, David
Wood, Timothy

Tellers for the Noes:
Mr. Derek Conway and
Mr. Andrew Mitchell.

Question accordingly negatived.

Mr. Sheerman: On a point of order, Mr. Deputy Speaker. You will know that the Speaker has been looking into the way in which private Members' business is handled in the House. There was an appeal for fairness from the Opposition Dispatch Box this morning, so that two important motions would have a fair share of the debate. Not only has the Minister for Social Security and Disabled People just voted in the Lobby, but his Parliamentary Private Secretary led the debate with an hour-long speech to stop us getting on to the disabled persons— *[Interruption.]*

Mr. Deputy Speaker: Order. That is not a point of order for me. Madam Speaker is dealing with the matter to which the hon. Member referred and has already dealt with another point of order on the subject this morning. I later repeated her decision.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. Will you consider having a further look—perhaps you could pass the word on to Madam Speaker—possibly a Speaker's Conference, with a view to trying to get a little sense into the situation, especially as we had many debates about the disabled just before the recess but could not get a Bill through, although Government Members and the Prime Minister have been on the Normandy beaches talking to crippled veterans and—

Mr. Deputy Speaker: Order. That is not a point of order for me.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Deputy Speaker. We are all well aware of the difficulties that you face today. Motions 2 and 3 on the Order Paper are on the same subject, which is of great concern to Members on both sides of the House. Clearly it is impossible for us to move the closure on a motion, but in fairness to the hon. Members who tabled motions 2 and 3, would it not be fair to ensure that there is some limited discussion on those motions? They deal with a subject which gives rise to considerable and understandable emotion. Could you say, perhaps, that the present debate should finish at two o'clock so as to enable proper discussion of the remaining two motions?

Mr. Deputy Speaker: Order. That is a matter for the House, as the hon. Member knows full well.

Mr. Michael Bates (Langbaurgh): On a point of order, Mr. Deputy Speaker. I seek your guidance. Will it be possible for there to be some investigation of the conduct of Opposition Members this morning? It seems to Conservative Members that there has been an honest attempt to move the debate along fairly and firmly, but that it has been interrupted and delayed by a 47-minute speech from the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), by bogus points of order and by the hon. Member for Bolsover (Mr. Skinner) walking into the Chamber and wasting 15 minutes on—

Mr. Deputy Speaker: Order. I wonder whether it would be possible now to get a genuine point of order. That would be quite an occasion in the House.

Mr. Tristan Garel-Jones (Watford): Further to the point of order from the hon. Member for Bolsover (Mr. Skinner), Mr. Deputy Speaker, regarding a possible Speaker's Conference on private Members' Bills, may I avail myself of the opportunity to ask you to let Madam Speaker know that many of us in the House believe that no private Member's Bill should be introduced which requires a money resolution?

Mr. Deputy Speaker: Order.

Mr. Roger Berry (Kingswood): On a point of order, Mr. Deputy Speaker. A few weeks ago, an equally important private Member's motion was carried unanimously in the House calling on the Government to provide time to complete the Civil Rights (Disabled Persons) Bill. Has the Minister responsible, who did not oppose that motion on that day, indicated whether he wishes to make a statement as to when the Government—

Mr. Deputy Speaker: Order. It has been made clear that the Minister has made no indication whatever about a statement.

Ms Liz Lynne (Rochdale): On a point of order, Mr. Deputy Speaker. I seek your advice. Is there any way in which the Civil Rights (Disabled Persons) Bill can be debated in the House without Ministers trying to talk it out? As a relatively new hon. Member, I seek your advice on whether private Members' Bills from Back-Bench hon. Members can be given time for a proper debate instead of having this disgraceful behaviour from Ministers.

Mr. Deputy Speaker: Procedural advice cannot be given across the Floor of the House, but it can be given privately.

1.30 pm

Sir Michael Grylls (Surrey, North-West): We have been taking part today in a fascinating debate of huge importance and I congratulate my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on introducing it. There could not be a more important subject to our country, as I should have thought the Opposition would agree, than the competitiveness of British commerce and industry because that is the basis for the number of jobs that we shall have in the future.

I must confess that I feel great sympathy for the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), whose speech I listened to with great care and which I found very interesting. He struck me as being a little like a general who is right out in front and looks around to find no army behind him. This is a hugely important debate and, while there is the odd infantryman lying around now, there was nobody behind the hon. Member for Newcastle upon Tyne, Central for the whole morning. Nobody from the Labour party took any interest whatever in the crucial subject of whether our business can compete in the world today.

Mr. Waterson: Would my hon. Friend also draw attention to the fact that, for the same period of this important debate, nobody was present from the Liberal Democrats?

Sir Michael Grylls: My hon. Friend took the words out of mouth; I was about to refer to the Liberal Democrats. What my hon. Friend has said is absolutely true. It is extraordinary that a party which seems to have increasing pretensions to being an important party did not even bother to turn up.

Ms Lynne: On a point of order, Mr. Deputy Speaker. May I point out to the hon. Member for Eastbourne (Mr. Waterson) that I was in the House for the speech of the hon. Member for Stratford-on-Avon (Mr. Howarth) when he was talking about disabled people's rights?

Mr. Deputy Speaker: Order.

Sir Michael Grylls: That was only about half an hour ago and it is now nearly half-past one. Throughout the vast morning when this hugely important subject was being debated, no Liberal Democrat was present. However, let us now move quickly away from that matter.

Mr. Madden: The hon. Gentleman has been dealing with the interest in the debate, and clearly the bulk of the contributions this morning have been made from the Conservative Benches. Will he consult the sponsor of the motion—the hon. Member for Hastings and Rye (Mrs. Lait), who is placed conveniently next to him—to see whether, in view of the extensive debate that has taken place, she would be willing for the debate on her motion to conclude at two o'clock, which would enable a brief debate to take place on motions Nos. 2 and 3?

Sir Michael Grylls: It is a great pleasure to liaise with my hon. Friend the Member for Hastings and Rye at any time of the day or night, if the House happens to be sitting then. You would shut me up swiftly, Mr. Deputy Speaker, if I tried to intervene to say what should or should not be in order or how the procedures of the House should be undertaken, because that is your prerogative and it would be impertinent of me to trespass on it.

One of the central arguments of the hon. Member for Newcastle upon Tyne, Central was his criticism of the excessive dividends that British public companies tend to pay. It is true that in the past two years dividends have increased, but the hon. Member must accept that it is a case of pluses and minuses. He did not respond to my intervention when I asked whether a future Labour Government would legislate to control dividends. I assume that his refusal to reply means that they would not intervene.

Mr. Skinner: Will the hon. Gentleman give way?

Sir Michael Grylls: The hon. Member was not even in the Chamber at the time, but I will give way to him in a moment.

The hon. Member for Newcastle upon Tyne, Central must consider the pluses and minuses. Of course one can criticise the level of dividend payments in Britain and in the United States, which are higher than those paid in Germany and Japan, but that is partly due to our effective capital markets, certainly for public companies. Those markets represent some of the most efficient markets for raising money for investment of any countries. There are large gaps in those markets, but they work efficiently for large quoted companies.It is important that those who put their money into the stock exchange, either as direct investors through their own shares or through pension funds or however, get a proper return on their money.

I do not think that there is much to be gained by debating whether there should be a certain level of dividend payments. The important thing is whether companies can effectively raise capital to invest or renew their capital, which is necessary in times of high inflation but not so important now that we are lucky enough to have a low inflation rate.

Mr. Skinner: The hon. Gentleman has a cheek to talk about people being absent from the Chamber when he has 10 extra jobs. He moonlights for 10 other companies, as well as being a member of Ian Greer Associates. He makes money hand over fist. He may talk about restrictions on dividends, but why does he not have the guts to declare now how much money he is making on the side from those four directorships, five advisorships and one consultancy as well as from being a member of Ian Greer Associates? When he tells us all that, we shall be better informed and then he might be able to turn up for work as often as I do.

Sir Michael Grylls: Unlike the hon. Member, I have been here for the majority of the morning although I have other responsibilities. I believe that that is a great advantage to the contributions that I can make to the House. If one asks a busy person to do something, he generally succeeds in doing it.

The hon. Member asked a question, but he does not even have the courtesy to look at me when I reply. I do not believe that we need to take his intervention too seriously, but if the burden of his point—it is not strictly about the motion—is that he would like to have a House of Commons full of people with no other occupation outside politics, he should say so.

Mr. Skinner: One Member, one job.

Sir Michael Grylls: I am not giving way.

Mr. Deputy Speaker: Order.

Mr. Skinner: The hon. Member for Surrey, North-West (Sir M. Grylls) invited me to intervene.

Mr. Deputy Speaker: Order. I will do some inviting now. Will the hon. Member for Surrey, North-West (Sir M. Grylls) and Opposition Members stick to the motion?

Sir Michael Grylls: I fear that I was seduced down an avenue into which I should not have gone. To give way to the hon. Member for Bolsover is a normal politeness; the fact that he misused and abused that privilege in Parliament is something on which the House must make its own judgment.

I wish to underscore the importance of the White Paper. As my hon. Friend the Member for Havant (Mr. Willetts) said in his excellent speech an hour ago, the White Paper was bold because it underlined many of the weaknesses and challenges in the British industrial and commercial economy. There would have been no point in carrying out a public relations exercise saying how wonderful everything is. In my experience of this place, it is somewhat unusual because it portrays the British industrial economy honestly, warts and all. Anyone who studies the economies of the leading industrial nations in the world will know that they all have pluses and minuses: some are stronger in one area while some are stronger in others.

My hon. Friend the Member for Havant quoted Professor Michael Porter from Harvard university, who made an excellent point in his textbook on competitiveness. The view of that great expert on competitiveness throughout the world is that the most successful companies are those that operate in a deregulated economy. That reinforces the fact that we should support the Government in their deregulation initiative and face up to measures that will simplify life for businesses. If a firm wants to expand and has the money to do so, it must not be tripped up by unnecessary regulations. Too often, businesses that want to expand their factories because they are doing well are told by planners that they cannot do so because it would be too complicated. If planners and those involved in statutory procedures would be a little more positive, it would help our competitiveness enormously.

Huge improvements have been made in some areas, but we tend to remember the bad events and forget the good ones. Many positive measures have been taken to relieve business of excessive taxation—for example, simplifying and improving the loan guarantee scheme for firms that wish to raise money to expand but do not have adequate security to do so have been hugely important. Since the Government enhanced and improved that scheme in the last Budget, the number of firms applying for loans has doubled month on month, which is a good sign that people are not only taking up the scheme but finding it a positive advantage.

The abolition of inheritance tax for quoted companies is also important. One may ask why companies should not pay some tax when a business is passed on from one generation to another. Too often, however, when an owner-manager has died or retired, the business has had to be sold to pay the high inheritance taxes and that unit of competition has then disappeared. That is the damage done by high capital taxation. Almost any capital taxation distorts business decisions and damages the independent small companies which are likely to be set up in this country.

The abolition of inheritance tax on non-quoted companies by the former Chancellor of the Exchequer, my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont), was one of the most important steps taken in the Government's whole lifetime. It has enabled companies to be passed on intact from one generation to another and to grow in the hands of each generation of owner-managers. The Government should be congratulated on having done that. We have to keep up the work on deregulation. We have to keep up the work on tax reform. Tax reform is needed. Capital gains tax is outdated. It distorts business decisions and stops the proper flow of capital going in the direction that it should.

Mr. Jimmy Hood (Clydesdale): The hon. Gentleman talks about abolishing capital gains tax. Would he mind telling the House what he would replace it with? Would he increase value added tax on fuel? Would he increase direct taxation and shift the burden from the rich to the poor further than it has been shifted? Is that what the hon. Gentleman would do?

Mr. Skinner: I think that he would.

Sir Michael Grylls: I understand the hon. Gentleman's argument. I am not trying to make a Budget, so I do not have to balance my books. I am simply saying that capital taxes are distorting and damaging. As I am sure the hon. Gentleman knows, capital gains tax raises only a few hundred million pounds—a relatively small amount. If capital gains tax were abolished, the advantage that would flow to the country is that new jobs and new wealth would be created. The new wealth would be put into productive hands and create jobs.

I say to the hon. Member for Clydesdale (Mr. Hood) that we must get rid of that prejudice—because that is what it is. To some extent, a few years ago, I was enticed by the idea that capital gains tax had a degree of fairness, so I understand the feeling, but it is far too damaging to allow that type of prejudice to stay in our minds because it distorts business decisions and restricts the creation of wealth and therefore of jobs.

I welcome the White Paper and I welcome the fact that it is radical, open and honest. I am sure that the Government will continue to pursue the initiatives in the White Paper, especially in relation to financing and deregulation, and I look forward to participating in another debate on this important subject in a year's time or a few years' time. We can then see all the extra progress that the Government have made in making the British economy more competitive.

1.46 pm

Mr. Michael Trend (Windsor and Maidenhead): There has been much to admire in this morning's debate, although I fear that one cannot admire the guerrilla tactics of the Opposition some moments ago.

I enormously admired the way in which my hon. Friend the Member for Hastings and Rye (Mrs. Lait) brought up the subject. I also admire the way in which my hon. Friend the Member for Havant (Mr. Willetts) managed to get in an advertisement for his new pamphlet, which, even at £10, remains excellent value.

[Mr. Michael Trend]

I enormously admired the speech of my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), who made effective arguments that have sympathy throughout the House, in a way that no Opposition Member sought to do.

I shall speak about the first phrase of the motion:

> "To call attention to the need for the United Kingdom to be competitive"

because that begs an important question and it needs broader consideration. Often, in discussion of the subject, people speak about the historical, cultural and social factors that are important, but those are not gone into in much depth. Yet I believe that those go to the heart of the matter.

We should ask ourselves what competition is. A fairly straightforward definition in "Johnson's",

> "The action of endeavouring to gain what another endeavours to gain at the same time"

is the definition that begs the questions. In one sense, competition, as Bentham put it, was the way in which traders brought reduction in prices to purchasers, but there have been other usages of the word which betray characteristically English attitudes towards competition.

For a long time, there was an idea in our culture—I think that it persists—that competition was somehow ungentlemanly. It was to do with trade, which many people, of course, despised. There was suspicion of the examination system, which was the competition gateway. I am reminded that, in the past century, in the Indian civil service, people who had had to exert themselves to obtain work by engaging in the examination system were known as "competition-wallahs" and disregarded for that.

Why, though, did Britain, which had such pre-eminence in the field in the 19th century, decline? In an earlier intervention, I mentioned Gottfried Bruder, whose evidence to the Select Committee was second to none. He said:

> "Britain's early and long-held lead in industrialisation, the inventiveness and individualism of her people, their capacity for organisation, discipline and improvisation, virtues all of which were amply displayed for instance in the success of Empire, their wide knowledge of the world and high international repute, as well as a broad home market combined with a widely spread international trading base, make the industrial decline"—

of Britain—

> "a seemingly inexplicable phenomenon."

I would argue that, in the past century and in much of this one, we have not been competitive. Because we had imperial preference, our traders were not as competitive as other countries quickly became. That phenomenon has been widely studied, particularly in a splendid book, which I will not bother the House with at the moment, by Mr. Martin Weiner, "English Culture and the Decline of the Industrial Spirit 1850-1980". Thought on the matter suggests that there was an English spirit abroad that denigrated and found trade distasteful—not in the milieu for finance, of course, as that was not at all different from the traditional world of the aristocracy and the then middle classes, who regarded it as a clean activity, done in a fashionable location. The roots of our present debate over the split between a financial culture and an industrial culture can be found to a certain extent in the past.

Much has changed in recent years, but there is still considerable room for further change. I give as an instance of that the status, say, of engineers, who are at the centre of our competitiveness in our industries. An engineer in Germany or Italy is somebody who is widely respected in the community and is always introduced as an engineer, in the way in which one would say, "Here is a doctor." In this country, an engineer is the person one sends for when one's washing machine breaks down. The status of engineers is a key measure of how seriously we take the manufacturing industry.

Many of our university graduates, I fear to say, come out of university having done extremely well in arts and sciences and choose to go into one of the professions or the City rather than industry. Although the situation has improved, it must improve much more before we are in the same position as Germany. A good arts graduate coming out of university today would still be very tempted to go into, say, the civil service, the cream of which, of course, are the Clerks of the House of Commons. If one put all that superb egg-head power together and applied it to British industry, no doubt the country would be 10 times more prosperous.

There was also a sense in the past that there was something almost immoral about competitiveness, that the mammon gospel of competitiveness was not somehow in accordance with the Christian message. A characteristically pragmatic English view was put on that by Arthur Hugh Clough in his new 10 commandments, "The Latest Decalogue", when he said:

> "Thou shalt not covet; but tradition
> approves all forms of competition."

I come to a third usage of the word, in which competition is placed in opposition to co-operation. That is particularly found in the ideologies of the Left, where they pretend that competition and co-operation are two sides of the same coin, and that they cannot work together, as we would think. It is particularly true of Bertrand Russell, who said that one could have one or the other. Yet that is not the case. We believe very strongly that the ideological bias against competition still exists in the left of British politics. I shall give one example of that—education and training.

Many hon. Members have spoken today about training, but it really is a motherhood subject. Everybody approves of training, but what matters is how one does it. If we are to have a people who are more competitive and able to get away from the mental attitudes of the past, and compete more vigorously in the world markets, it must begin in the education system.

Where does Labour stand on this? Its attitude is nowhere more evident than in its lack of enthusiasm for competition. In the past 10 years, pressure on the examination system has come mainly from left-wing dominated unions and has been to try to get everybody to win prizes. It is viewed as disgraceful that some people should do better than others. Streaming in schools and especially in the big comprehensives has meant that there has been no encouragement for pupils to be competitive, one against the other. The idea in school sports that there should be no team or individual competitive spirit has been encouraged.

Rather than picking winners in education, Labour has encouraged a bland similarity throughout the system. It is against the assessment of teachers, which is a form of competition within the profession, and it does not approve of the competitive grading of schools. That distrust of league tables is at the heart of a profoundly uncompetitive attitude.

As I have said, some of the damage to our country stems from the attitude that competition is ungentlemanly and might be immoral. Some people on the Labour side of the debate think that competition is ideologically wrong and politically incorrect. If we are to be more competitive we must stick to the Government's policies as outlined in the White Paper.

In the world markets that are currently developing a new order of competition is coming into existence. I have the pleasure to be taking part in an Industry and Parliament Trust placement scheme with GKN which works successfully at the centre of the automotive industry. It has plants all over the world manufacturing constant velocity joints of which the company has a large share of the world market. Increasingly, its factories will be more competitive with each other. Whether we can produce those joints more competitively than the factories in Germany, Spain or Italy will be enormously important.

The Japanese car factories that have been set up in Britain are not British in any sense of the word, but they are producing jobs for us, which is what we want. Jobs are the reason for our need to be competitive in world markets. That is why education and training, business, exporting, turning away from high social on-costs and open markets matter. Our people will judge us on our success in increasing performance, and that can only be done by a party that understands how competition will develop in new world markets.

This is a wide-ranging subject and I fear that I have not been able to speak on it as expansively as I should have wished. I commend the Government's policy on competitiveness and congratulate my right hon. Friend the Secretary of State on his White Paper. I again congratulate my hon. Friend the Member for Hastings and Rye on the way in which she brought the subject to the House.

1.58 pm

The Minister for Industry (Mr. Tim Sainsbury): We have had an interesting, high-quality and wide-ranging debate. I am sorry that not all my hon. Friends who wanted to contribute could be called. I am also rather sorry that I have much less time to respond to the debate than the time that the Opposition spokesman took for his speech.

I warmly congratulate my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on her success in the ballot and most of all on her choice of subject. Competitiveness is the foundation on which our future prosperity has to be built and my hon. Friend was right to remind the House and the members of the Government, whichever Department we are in, that we must not forget it. I also congratulate her on the able way in which she moved the motion and on the many telling points that she made.

I congratulate all my hon. Friends on not only the quality of their speeches but the knowledge that they have displayed and the interest that they take in businesses, especially those in their constituencies.

I should like to reinforce what has been said about why competitiveness is so important. Business and industry are the main creators of wealth in our economy. They are the drivers of our economy, which is why I agree with my hon. Friend the Member for Norwich, North (Mr. Thompson) that there is no more important subject than business and industry for the House to debate. I am happy to agree with the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) that the subject is important. Business and industry are the foundations on which our other achievements are built—schools, hospitals, improvements in living standards and a better quality of life. We all wish for those things and business and industry generate the wealth to pay for such improvements in our lives. The competitiveness of business and industry is essential, therefore, for our future prosperity and vital if Britain is to be able to satisfy the social and economic aspirations of its citizens.

That goes as much, if not more, for the disabled as for other members of society. I take the strongest objection to the synthetic indignation and the Opposition's time-wasting during this important debate. I am astonished that they do not seem to be aware that, as often as not, the first motion on the Order Paper on a day such as this takes up the whole of that day. I can think of no subject that more justifies filling the day and not all my hon. Friends who could have made valuable speeches were able to speak. In those circumstances, it is astonishing that there has been a total absence of speeches from Opposition Members, apart from that of the Opposition Front-Bench spokesman. They have nothing to say about business, industry and wealth creation. That is equalled only by the performance of the Liberal Democrats, who have not only had nothing to say, but have not been present for the vast majority of this important debate.

Mr. Berry: The Minister will be aware that work on the second Severn crossing has ceased because more than 700 workers were sacked yesterday as a result of taking 24-hour industrial action after a ballot. Those workers want the matter to be referred to the Advisory, Conciliation and Arbitration Service, but the management has refused. Will the Minister use his best endeavours to ensure that investment in infrastructure in Bristol continues and that the matter is referred to ACAS for settlement as a matter of urgency?

Mr. Sainsbury: That intervention is an example of why I would be unwise, in the limited time available, to give way again. I want to respond to the important points made by those who have spoken in the debate.

I agree with my hon. Friend the Member for Hastings and Rye on the achievements of the 1980s—the progress on industrial relations, the gains of smaller and medium-sized companies and the improvement in managements' ability to manage, which is an important point. That is reflected in the new-found emphasis on exporting and quality. She rightly put the matter in the context of the global market in which we now compete. She and other hon. Members referred to the importance of service industries and the artificial distinctions that occur between the manufacturing sector and other industries.

As I have many language schools in my constituency, I was delighted to hear her reference to language schools. We all agree that London is a vital part of our economy and has a vital contribution to make. I have recently announced a grant in aid to the London First centre.

My hon. Friend the hon. Member for Hastings and Rye drew attention to the disadvantages of an unstable macro economy, particularly in respect of investment. Unless we firmly control public spending, it is inevitable, as during the era to which my hon. Friend referred of Lord Healey, as he now is, that we shall be faced with macro-economic instability, which is damaging to our economy.

I was glad to hear what my hon. Friend said about improvements in export support. She referred to the roads to Hastings and my hon. Friend the Member for Norwich, North referred, rightly, to the importance of roads to

[Mr. Sainsbury]

Norwich. I shall ensure that my right hon. Friend the Secretary of State for Transport is aware of what my hon. Friend the Member for Hastings and Rye said.

My hon. Friend brought her remarks to a close by saying that we must accept and welcome, rather than resist, change when it is necessary to improve competitiveness. I hope that we all agree about that.

My hon. Friend the Member for Meriden (Mr. Mills) referred, understandably—he is a great expert on it—to the car industry. It is an industry transformed. It reflects all the benefits of the changes that we brought to the environment in which business operates during the 1980s, not least to inward investment. I was glad to hear the welcome that my hon. Friend expressed for the success that the BMW takeover of Rover is achieving. I noted what he said about trading standards officers. I shall ensure that his comments are followed up.

My hon. Friend the Member for Eastbourne (Mr. Waterson) made some cogent remarks about banks. I will ensure that my right hon. and learned Friend the Chancellor of the Exchequer is aware of them. My hon. Friend the Member for Plymouth, Sutton (Mr. Streeter) talked about Devonport with great feeling. I know that we all regret the additional redundancies that have occurred there. I will ensure that my right hon. Friend the Secretary of State for Defence is made aware of what he had to say on the subject.

My hon. Friend the Member for Havant (Mr. Willetts) commented on the changes in structure that are occurring in manufacturing employment and how the transfer, for instance, of transport can mean that somebody is reclassified as being in the service industry. Service industries and manufacturing industries are interlinked. The success of service industries makes an important contribution to the success of manufacturing industries. I thank my hon. Friend for what he said about my visit—I much enjoyed it—to his constituency.

My hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) spoke of the contribution that the disabled can make to our economy. I am sure that we all agree about that. I will ensure that my right hon. Friend with responsibility for the disabled is aware of what my hon. Friend said.

My hon. Friend the Member for Surrey, North-West (Sir M. Grylls)—

Mr. Alan Howarth: Will my right hon. Friend give way?

Mr. Sainsbury: Yes, but I ask my hon. Friend to make a brief intervention.

Mr. Howarth: I am grateful to my right hon. Friend. It is extremely important that the economic Departments respond to the issue with proper seriousness and address themselves intelligently to the proposition that is before them. It is not something that will go away; it is a real issue. I am grateful that my right hon. Friend intends to draw to the attention of my right hon. Friend the Minister with responsibility for disabled people the remarks that I made this morning, but what I said was very much addressed to him and his ministerial colleagues.

Mr. Sainsbury: I take that point. I was present when my hon. Friend was speaking and my right hon. Friend was not.

My hon. Friend the Member for Windsor and Maidenhead (Mr. Trend), in a rather philosophical speech —perhaps appropriate from Windsor—talked about the importance of engineering and spoke of what more we should do to enhance the status of engineers in our society. I very much agree with him. I was glad to hear him applaud the importance of trade. He will not be surprised when I say that I entirely agree that trade should not be disregarded.

I move on to some more substantial points—well, not necessarily more substantial, but matters to which I can refer at slightly greater length. My hon. Friend the Member for Hastings and Rye talked about support for business men who are helping to develop standards in Europe. That is important. We want to ensure that British business makes a full contribution to the development of those standards. If we do not, we can be sure that standards will be developed more to the advantage of industry elsewhere. For that reason, we have consulted on the matter. After listening carefully to the views of business, we concluded that we should contribute £7.3 million to the British Standards Institution and industry concerned with standards writing.

My hon. Friend the Member for Hastings and Rye also suggested that there could be benefits in an exchange scheme between the home civil service and civil servants elsewhere in the European Union and the Commission. I very much agree with her. Indeed, there are regular interchanges of staff with the French, German and Irish civil services. Some 140 United Kingdom officials are currently seconded to the Commission.

In 1990, we introduced a special scheme of recruitment, training and postings designed to equip young United Kingdom graduates to take and pass the European institutions' examinations. Our ultimate objective is to increase the number of UK permanent officials in the Commission and in other European institutions. That is in addition to the Commission's scheme for the exchange of officials which was introduced in 1993.

I am sorry that time is running a little short, and I want now to consider the extremely important subject of deregulation. That subject was referred to by my hon. Friends the Members for Hastings and Rye, for Havant, for Surrey, North-West and for Eastbourne who quite rightly —and I have a constituency interest in this—put his point in the context of tourism.

My hon. Friend the Member for Hastings and Rye emphasised the value of goal setting, risk assessment and compliance-cost assessment with regard to the work of the Health and Safety Executive. I fully agree with her points. My noble Friend—or noble brother—Lord Sainsbury, through the work of the task forces which he superintended, has identified that as an important point.

It is clear that Conservative Members agree that over-regulation reduces competitiveness and impedes growth. As we all know, the lack of legislative time has in the past prevented many common-sense changes to primary legislation. As my hon. Friends have made clear, such changes would benefit businesses, charities and individuals. That is why we attach such importance to the deregulation order-making power included in the Deregulation and Contracting Out Bill which is now being considered in another place and why we find it so strange that, once again showing their disregard for the interests of business and the wealth-creating importance of business, the Opposition oppose that Bill. We believe that proper parliamentary scrutiny and other stringent safeguards have been built into the Bill. The cumulative effect of the changes that the Bill could bring about would improve competitiveness by releasing business from unnecessary bureaucratic burdens.

Many of my hon. Friends, and the hon. Member for Newcastle upon Tyne, Central, mentioned the important subject of research and development. The so-called R and D scoreboard, which is sponsored by my Department's innovation unit, is published by Company Reporting Ltd. It is produced using individual company accounts and it helps to promote informed discussion between the industrial and financial communities and, more generally, informed discussion about the overall level of company R and D spend.

Like my hon. Friends, I welcome the increase in overall reported United Kingdom R and D spend which has increased by 9 per cent. to £7.1 billion in line with a similar rise in sales and profits. That is perhaps not altogether surprising because, as we all know and as Conservative Members recognise, it is from profits and retained profits that R and D and investment are likely to be financed.

Britain's performance compares very favourably with the world's top 200 companies which reported only a 3 per cent. rise in R and D spend, a 2 per cent. sales increase and a 3 per cent. fall in profits. There were particularly notable increases, for example in the pharmaceutical industry, where the increase was 19 per cent. Other sectors also performed particularly well. In engineering, the increase was 10 per cent. It was 29 per cent. in media and 23 per cent. in support service sectors.

Mr. Cousins: Will the right hon. Gentleman give way?

Mr. Sainsbury: Could it be brief, please?

Mr. Cousins: I find the Minister's complacency on that point absolutely unbelievable and very destructive of the interests of Britain. Is he not concerned that about a third of our expenditure on research and development occurs in one sector of industry only, pharmaceutical? Well done, pharmaceutical; what about the rest?

Mr. Sainsbury: If the hon. Gentleman had read the competitiveness White Paper, he would know that we are very far from complacent on the subject. I welcome the increase that we have seen and that we wish to continue in United Kingdom investment in research and development, but we will see that only if we provide a business-friendly environment and allow business to make profits with minimum regulation, which is the last environment that the Opposition's policies would provide.

The United Kingdom has 13 companies in the world's top 200 spending companies. To put that in perspective, there are 81 in the United States, 48 in Japan, 17 in France, and only 11 in Germany in the top 200. Our top company is Glaxo, the third highest spender in its sector in the world.

Of course, research and development is important, but it is just one aspect of the far wider process of innovation. The White Paper, which I commend to the hon. Gentleman —perhaps he will read it—underlines United Kingdom industry's need to improve in many sectors of management and innovation if it is to be globally competitive. That underlines the fact that we are by no means complacent on the subject. My Department's "Managing in the 90s" programme has already promoted and demonstrated aspects of best practice to more than 50,000 managers. Increasingly, business links will be the local providers of that programme, providing the service more locally and effectively than it has been provided in the past.

The White Paper also reinforces the Government's commitment that research and development support is directed at improving our competitiveness. Recent initiatives build on last year's White Paper on science, engineering and technology which, as the hon. Gentleman will know, was the first for a very long time. It focused all Government science and technology expenditure and the science-based Government Departments and Europe on the objective of improving industrial competitiveness and the quality of life.

Our research and development funding is concentrated on sectors in which it can make the greatest difference. One sector of particular need is technology. We are working to help industry, especially smaller firms, to gain access to, and make use of, existing technology from all sources as well as state-of-the-art technology supported by United Kingdom and European research and development programmes. We are expanding our overseas technology services to make sure that innovations, technologies and management practices developed elsewhere in the world are available to British industry through business links and local or national networks. We are working with research and technology organisations and regional and other bodies with technology interests to prepare them to provide effective technology services to business link customers as well as their existing members and clients.

It is by helping firms to achieve maximum benefit from the wealth of research and development funding in the United Kingdom that we are ensuring that the taxpayer gets better value for money, but it is primarily for industry to fund its own research and development. It spends 50 times what my Department does. The important role of Government is to create and to continue to create the right climate for the private sector to be prepared to invest more in research and development. That is the way to sustainable economic growth in the longer term.

Mr. Thurnham: Will my right hon. Friend give way?

Mr. Sainsbury: I shall give way, but only briefly.

Mr. Thurnham: Does my right hon. Friend agree that what would be most damaging of all to British industry would be to return to the trade union strife that we saw under the previous Labour Government? Not only have Labour Members stayed away from the debate, but the news tapes outside show that there are cracks in the show of unity among contenders for the Labour leadership. The right hon. Member for Derby, South (Mrs. Beckett) is recorded as saying that she wants a return to secondary picketing and to sweep away large chunks of the Government's trade union reforms.

Mr. Sainsbury: My hon. Friend makes a very important point. It was just those attitudes and inflexibilities that acted as such a deterrent to management to invest and to carry out research and development.

I now refer to the single most important subject that has been touched upon by my hon. Friends, particularly my hon. Friends the Members for Norwich, North and for Havant. It features very largely in the White Paper, and that

[Mr. Sainsbury]

is education and training. Skills have never been more important for competitiveness, and that applies at all levels and in all sectors. The Government are committed to raising the levels of participation and attainment throughout education and training. We must develop the self-confidence and esteem of all pupils and students.

Much has already been achieved. The Government and their partners—employers, schools, colleges and, of course, students—are beginning to close the gap which has been referred to between our performance and that of the best of our competitors. But there is undoubtedly still much to do. The demanding national targets for education and training provide a valuable focus for that work, and we are better placed to meet the need than ever before.

I shall turn to an example in education. More than 70 per cent. of 16-year-olds now stay in full-time education, and well over 90 per cent. are in some form of education and training. More of our young people secure good GCSE and GCE A-level results than ever before. A record number —it is almost one in three compared with about one in eight in 1979—are now entering higher education, and we have the highest graduate output in Europe. At the same time, our training strategy—training is more the responsibility of industry, as education is more the responsibility of Government—is to provide better training to more people and with more employer involvement, which is so important.

Training and enterprise councils are delivering. They are creating better local training provision, helping local people and regenerating local economies. In a four-week period in 1993, 2.4 million employees received job-related training. That is 70 per cent. more than in a similar period in 1984—nine years earlier. In addition, between 1987 and 1993, the number of workers with qualifications at A-level or equivalent rose by 2.4 million to nearly half the total work force.

Six thousand employers are now committed to meeting the investors-in-people standard for training and the development of their employees to meet the business needs that they perceive for their businesses. To build on that success, promotion of that standard is to be intensified. In addition, I am glad to be able to tell the House that all Government Departments are carrying forward their own plans to become investors in people.

But as several of my hon. Friends have made clear, it remains absolutely vital that businesses continue sufficiently to invest in training because that is the way to take full advantage of the recovery that we have in our economy. It is welcome news that a survey showed that in April 1994, 86 per cent. of manufacturing firms expected to increase or maintain their investment in training.

For our part, the last Budget included support for new modern apprenticeships to help young people to gain vital technical and supervisory skills. Modern apprenticeships represent a serious and major reform of the training system and a major change from the old time-served apprenticeship approach. The aim is to increase the number of young people gaining NVQ level 3 qualifications through work-based training to more than 40,000 a year.

But it is important that sights in the field of education and training are raised still further. Skill needs are changing and the levels of skills required is steadily rising. As we look to the needs of the next century, we must recognise that our international competitors are hard at work raising the skill levels of their work force to what they see as being required in that century.

Engineering skills—my hon. Friend the Member for Windsor and Maidenhead referred to this—underpin many sectors of industry. I believe that the engineering industry can offer a rewarding career to young people, but employers must make that clearer by demonstrating that they can and will utilise and reward engineering skills. They must do that if they are to persuade more young people—both boys and girls—to follow engineering as a career. The Government, the engineering profession and industry are promoting all levels of engineering careers in schools and working with industry to develop the qualifications needed to train those who enter engineering.

This autumn, we are introducing engineering bursaries, to encourage students with good A-levels to choose engineering degree courses. The White Paper on competitiveness announced a demanding and exciting agenda for action on education and training—I should really say further action on education and training. The White Paper measures build on existing policies and successes. In all, the new measures announced represent a Government commitment of more than £300 million in the three years to 1997-98.

On education, we are streamlining the national curriculum. The emphasis will be on the basics—English, mathematics and science—and there will be rigorous testing at the key stages to check on progress. I find it hard to understand how anyone who has any interest in the competitiveness of the wealth-creating parts of our economy could do anything other than support and approve that programme of rigorous testing.

We are giving more choice to young people, by developing vocational options for 14 to 16-year-olds. They can provide motivation for pupils who might have become disenchanted with the conventional academic curriculum —we all recognise that there are bound to be some. Those options will complement more academic work, but I stress that they will not be a soft option. They will also be rigorously assessed, to ensure that they are comparable with more academic courses.

In 1995, we will introduce the new general diploma for young people, to acknowledge achievement in English, mathematics and science, plus two other subjects or their vocational equivalents. That will provide employers and others with a quality check that young people have mastered the basics.

We are also developing a head teachers' leadership and management programme; it is nicknamed Headlamp, but I would not want to minimise its importance in any way. Head teachers have to provide the lead and it is important that they have the quality and commitment and that they cultivate the right ethos and seek support from parents, employers and others in the community.

Mr. Patrick Thompson: Will my right hon. Friend give way?

Mr. Sainsbury: Very briefly, as we are running out of time.

Mr. Thompson: My right hon. Friend will recall that in my speech I called for something further—a staff college for head teachers. I hope that he will pass that call on to my right hon. Friend the Secretary of State for Education.

Mr. Sainsbury: That is a very good point. Nearly all my right hon. Friends will have to read the entire debate to pick up the various excellent suggestions that have been made.

On careers guidance, which is another important matter, even without the passport of the general diploma, a clear map of the way ahead is vital for young people. That is why we are improving careers education and independent guidance to help young people to make the right choices.

Mr. Austin-Walker *rose—*

Mr. Sainsbury: I cannot give way as there is too little time left.

As part of that programme, we will invest £87 million in the next three years to enable the careers service to offer earlier and better independent advice to every young person at 13, 15 and 17. The amount of careers guidance, in schools and colleges will nearly double by 1997 and all pupils will receive a statement of entitlement to careers education guidance, and careers officers and teachers will receive extra training.

At the same time, the framework of academic and vocational qualifications post-16 needs to be challenging and attractive. It must enable young people to make the most of their abilities and aptitudes. The White Paper on competitiveness pledged us to strengthen further post-16 qualifications. As part of that process, I welcome the progress made by GCE examining boards towards adopting a code of practice for GCE A-level and AS-level exams. The broadly occupational GNVQs are already proving popular, I am happy to say. The National Council for Vocational Qualifications is reviewing the consistency of standards of rigour across the board.

I should like to say a lot more about education and on a number of other subjects of great importance. I hope that what I have already said about education and training will have made clear to the House the Government's commitment to, and recognition of, the importance of the subject to the competitiveness of British industry. Clearly it is a recognition which is shared by my hon. Friends. Another very important subject to which I should have liked to be able to reply is the importance of inward investment, which has made such a contribution to the success of our economy. My hon. Friends the Members for Havant, for Sutton and for Meriden referred to that issue. There are a number of other points on which I will try to write to my hon. Friends, if I have not already responded to them.

The debate has covered a wide range of issues, and it has one simple message: if business and industry are to succeed, they must be competitive. They must provide customers with the products they want at the price they want, of the right quality and service and at the right time. The Government have a role in achieving that objective and my Department's goal is simple: to help British business compete successfully at home, in the rest of Europe and throughout the world. That is a long-term aim which is shared by the whole of the Government—

It being half-past Two o'clock, the debate stood adjourned.

Orders of the Day

Private Members' Bills

DECORATIONS FOR GALLANTRY (DISPLAY) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

REGULATORS OF PRIVATISED UTILITIES BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

HOMICIDE (DEFENCE OF PROVOCATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 15 July

SALE OF GOODS (AMENDMENT) BILL [*LORDS*]

Order read for further consideration (as amended in the Standing Committee).

Hon. Members: Object.

To be further considered on Friday 8 July

TREASURE BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 8 July

LANDLORD AND TENANT (COVENANTS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 1 July

STATE HOSPITALS (SCOTLAND) BILL [*LORDS*]

(Not amended in the Standing Committee), considered; read the Third time, and passed, without amendment.

CIVIL RIGHTS (DISABLED PERSONS) BILL

Order read for further consideration (as amended in the Standing Committee).

Hon. Members: Object.

To be further considered on Friday 1 July

BUSINESS OF THE HOUSE

Ordered,

That, notwithstanding the provisions of Standing Order No. 14 (Exempted business), the Speaker shall—

(1) at the sitting on Monday 20th June, put the Question on the Motion in the name of Mr. Secretary Heseltine relating to the draft Insurance Companies (Third Insurance Directives) Regulations 1994 not later than one and a half hours after it has been entered upon; and the said Motion may be proceeded with, though opposed, after Ten o'clock; and

(2) at the sitting on Monday 27th June, put the Questions on the Motions in the name of Secretary Sir Patrick Mayhew relating to the draft Ports (Northern Ireland) Order 1994 and the draft Ports (Northern Ireland Consequential Provisions) Order 1994 not later than Seven o'clock.—[*Mr. Arbuthnot.*]

Personal Pension Schemes

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Arbuthnot.]*

2.31 pm

Mr. Paul Flynn (Newport, West): The decision to privatise pensions was the worst and most damaging taken by the Government in the 1980s. It is significant that the Ministers involved are now the Prime Minister, the Leader of the House and the retiring Chairman of the Conservative party. As many as 3 million people have been cheated and defrauded as a result of their actions.Yesterday in the House I vainly tried to raise the subject and to get some kind of intelligent response from the Prime Minister commensurate with the enormity of the scandal. Sadly, although I gave the Prime Minister 24 hours' notice of my intention to raise the matter—as he requested on Tuesday—in the hope that that would mean that the response would be reasonable, all I had back was an answer as vacuous, patronising and insulting as most parliamentary answers are. I was delighted to see that *The Times* was equally dismissive of it today.

Although I do not want to waste the debate on futile party political points, I must say that it is a great shame that the Conservative party has not realised the damage that it has done through the decision that was taken in 1986. Our debate on the same subject in March which was disfigured by the contributions of a large number of speakers who confessed that they had financial interests in the pensions industry. At times it seemed as if they were speaking not on behalf of their constituents, but on behalf of their outside financial interests. That is one of the problems with our democracy, because I have no recollection of the Prudential party or Norwich Union party winning a seat at the election. It is wrong when the Chamber is abused by various commercial interests, as happened on that occasion.

It is almost impossible to exaggerate the damage that has been done by the Government's decision. Coopers and Lybrand claim that 2.4 million people should not have contracted out of state earnings-related pension scheme, SERPS, into the scheme. A further 500,000 people also contracted out, as a result of the most wickedly deceitful sales techniques, from the miners' scheme, the hospital scheme and other splendid occupational schemes. It is the worst financial scandal in Britain since the South Sea bubble and it has cost the national insurance scheme £10.5 billion. It is a mess of oceanic proportions.

I want to highlight certain points that have not received a great deal of attention in the past—some of them have received hardly any attention. There is a problem in understanding what a personal pension is, because the concept of a pension is the concept of a sum of money built up into a fund from which people can draw for the last years of their lives: A personal pension is a money purchase amount, which will then buy an annuity which, in turn, will determine the level of the pension.

It is tempting to conclude that the personal pension plan introduced by the Government was a dry run for the national lottery. In effect, that is what it is. It is a gamble. The pensions are as personal as a can of baked beans. They are not portable, as the Government said they would be and they can be changed only at enormous cost. The ultimate pension is in the lap of the gods. Recent events have shown that people are likely to lose out a great deal from such a scheme.

One iniquitous practice is conducted by a well-known company, Prudential. In common with most of us when we sign forms, people sign that company's form between the two little crosses without noticing the declaration on the form, which states:

> "I declare that the Prudential (or any of its authorised representatives) has not advised me to transfer my existing pension arrangement".

That form was in use as long ago as 1992. What on earth is the point of that declaration? Why were people asked to sign it unless the company knew that it was acting against the best interests of its customers? That declaration absolves the company from any future claims that people were wrongly advised. People take such advice because they are not self-motivated. They take out a pension on the advice of an expert—the man or woman who comes along and persuades them to buy it.

Even if a personal pension seems to be a good buy, things can go horribly wrong as retirement approaches. First, a downturn in the stock exchange market could reduce the value of the lump sum. Secondly, as has happened recently, a fall in the annuity rate reduces the amount of pension that a given sum will buy.

An annual survey of personal pensions in *Money Management* shows that the lump sum resulting from a £200 per month payment for 10 years into a Norwich Union with-profits scheme was 14.5 per cent. lower for a person reaching pension age in 1992 than for someone who reached it a year earlier. That represents an enormous drop in a short time. By mid-1993, the pension was more than 20 per cent. lower than that paid in 1991. For someone becoming a pensioner in 1993 rather than in 1991 the amount of money available to buy a pension was reduced by one fifth.

For anyone forced to buy a pension immediately after the October 1987 stock market crash, the loss was even greater. There is no way in which to escape that loss. For someone on a minute disposable income, a loss of between one quarter and one fifth of the income from a pension is catastrophic.

Another risk is that annuity rates will drop, which will have an even more serious effect on the value of pensions. In the four years to March 1994, Norwich Union's annuity rates fell by 31.8 per cent. for men aged 65, and by 36.7 per cent. for women aged 60. It is hard to imagine such a drop in the value of pensions. Hon. Members moan ceaselessly about what is happening to the value of basic pensions, but the falls in annuity rates have happened regardless of inflation and people are unaware of them. Even if the lump sum provided by the scheme had come up to expectations, the pension would still have been a third lower than that.

I do not wish to concentrate on a single company, so have looked at a range of companies. From details published recently by *Pensions World* magazine, I have calculated, without bias, the four best annuity rates quoted by life offices between 1990 and 1994. The table shows what the monthly pension from a £1,000 lump sum would have brought for a man retiring at the age of 60 or 65. In 1990, he would have received £146.05 but, by 1994, the same sum would have given him only £107.40. For a woman, the drop is from £127 to £87.67.

The Minister may say that gainers as well as losers are possible and that we are going through a bad patch. But no one could have anticipated the catastrophic fall in the past four years. When people enter the personal pensions market, they are expected to take decisions on their pensions in 20, 30 or 40 years' time and not a soul, however wise he or she may be, knows what will happen in that period. The collapse could be even worse. Now that legislation on this matter is looming, will the Minister say how many people are still buying pensions? I gather that 100,000 people bought personal pensions in the first quarter of this year. I should have imagined that personal pensions would now be seen as suspect and that no one would want to buy them. Are those now buying them aware of the drop in annuity values in the past four years? Do they realise what an atrociously poor buy they are, based not on speculation but on recent experience?

I wish to raise many other factors that have received little attention. This country has a problem with the role of financial advisers. There is a great number of them, and the public think that they give entirely disinterested advice. Sadly, that is not always the case. Unless the financial adviser is of a saintly disposition, he or she is more likely to sell policies that provide large commissions than policies that give good value to the customer, because the whole business is commission-driven.

Although the Government understand that all the 6 million people who have opted out of SERPS will be obliged to come back into the scheme at a certain time, the process is extremely slow. An expert has estimated that at least 1 million people who should have been advised to go back into SERPS are still outside it. I have spoken to some of the more reputable companies on that matter and been told that, although they have advised people to go back into SERPS, those amount to only a tiny number and that about 1 million people are, against their financial interests, still paying into personal pension schemes whereas they should go back into the state scheme.

There is a group of people known as, "the orphans". Unfortunately, there are a great many of them. Those are people who bought personal pension schemes through intermediaries—the agents and financial advisers—who have subsequently gone out of business. No one is left to advise those people when to return to the state earnings-related pension scheme. It should be the responsibility of the insurance company or another provider to give them that advice, but no one has pronounced on that subject.

Low earners especially risk being forced to take their pension at the wrong time. That is because people in a high-income job can often choose the date of their retirement. The lower one is on the ladder—the lower one's wages are—the less likely one is to be able to name such a date.

In Britain, insurance companies can market rotten pension schemes—and many schemes are rotten—with no control other than the Inland Revenue rules, which have nothing to do with value for money. I understand that in Germany, there are controls over financial products at the design stage. One is not allowed to market a scheme that is a rip-off. Such rules are needed here. I hope that in the forthcoming legislation there will be clear definitions of the types of schemes that can be marketed.

People who buy policies directly from providers are charged the same premiums as those who buy through intermediaries. Thus, although no commission is paid on a direct sale by the insurance company, the customer nevertheless has to pay a price that includes commission.

[Mr. Paul Flynn]

That should be illegal. Financial advisers would strongly oppose that because it would cut out their middle man's cut of the profit, but people should be encouraged to shop around.

There has recently been an improvement in the insurance market, with companies selling directly to the public. One company has provided policies of enormously greater value than the policies that were previously available. It is not possible to do that with pensions; it is not possible to cut out the intermediary, lose the commission and gain advantages by going directly to the company. It should be done. That is a reform which should be made.

Personal pensions have been a sad business. I cannot over-emphasise the number of tragedies that have resulted or the amount of anxiety that people feel. I doubt whether one person in 1,000 understands precisely the nature of the policy that he or she buys, and I have noticed that that is true among people of great education in the House who, when I discuss the subject with them, immediately bring the subject round to their personal policies.

We tend to trust the person who sells us a pension policy. We do not buy our cars or our houses in that way. In a lifetime, we might buy half a dozen cars and two or three homes, but, before we do so, we want experts to give us advice. We want the surveyors to look round the house. Yet we buy our pensions once only. We make a decision that will determine our income for possibly a quarter of our lives—it might even be longer—and we respect those salespeople as though they were disinterested in themselves and were giving us independent advice. The sad truth is that many of those people do not deserve that trust. Although they wear pinstripe suits, they should be treated with the same suspicion with which we treat double glazing salesmen or timeshare salesmen.

I suggest to the Minister that we need a genuinely independent financial advice agency, from which people could obtain advice for a small fee. I think that when the change takes place in personal pensions—when the Act comes into force—many financial advisers will lose their jobs. Those people could run such an institution. At the moment, however, people are at a loss to know where on earth they can obtain independent financial advice in circumstances in which the person who advises them does not have a vested interest in selling them a policy that offers the greatest commission.

We have gone back to the days when Beveridge said that a national insurance scheme was necessary. He felt that having people knocking on our doors and selling policies and collecting 2s 6d a week from our parents was a grossly inefficient system, in which 50 per cent. of the premium went towards commission and administration charges and was lost. That is why Beveridge wanted a national scheme. We have a national scheme in which only 5 per cent. of the costs go in administration, yet we are bribing people to desert it and go into private schemes, where 50 per cent. of the costs, again, go in commission and administration. It is wildly inefficient system.

I look forward to hearing the Minister give a positive answer—I gave him notice of what I intend to raise today—and whether he will approve the idea of setting up an independent finance advice agency, which would separate the sales part of the pensions industry from the part that makes the commissions. That, above all, is needed.

2.50 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. William Hague): The hon. Member for Newport, West (Mr. Flynn) has often raised this subject in the House, although he has raised a number of new aspects today. I will certainly seek to respond to the points that he raised. He did, indeed, give me notice about an hour ago of some of the things that he intended to say, just as he notified the Prime Minister of his question yesterday. After having open government, we have the hon. Gentleman practising open opposition. I congratulate him on that innovation.

Before I respond to specific points, I shall say a few words about the general background to the issue. Personal pensions are an important part of the Government's strategy for ensuring a continued improvement in the general level of post-retirement income. The means by which we are pursuing that objective are to widen choice, to encourage more people to plan for their retirement income, and to build a solid base of funded pension provision for the future. Widespread and successful occupational pension provision is vital to those objectives, but so is the availability and success of personal pensions.

Before our reforms of pension law in the 1980s, the state and employers had more say over how individuals could save for their own retirement than did the individuals. Employers could require people to join their scheme as a condition of employment—even against the individual's will. Where no employer's scheme was available, the state obliged people to contribute to SERPS. We changed that in the 1980s. We ended compulsory membership of any particular scheme. We gave people the opportunity to choose a pension for themselves. Now everyone can plan for the pension that best suits their needs, whether it be state or non-state, occupational or personal.

By widening choice, our intention, in which we have succeeded, is to encourage more people to save for their retirement. Growth in personal pensions has brought dramatic growth in personal investment—something which the hon. Gentleman did not mention, but which we should remember in a debate of this kind. In 1988, individuals and their employers contributed £260 million to personal pensions. By last year, those contributions had increased nearly 10 times to £2.5 billion. Of the 5 million people who have taken out a personal pension in place of SERPS, more than 40 per cent. are making contributions on top of those received from the Department of Social Security to boost their income in retirement. That is new money being invested to provide extra security in old age —money that could not have been paid into SERPS.

As the hon. Gentleman well knows, SERPS operates on a pay-as-you-go basis. The money paid in today is also paid out today, to current pensioners. Nothing is saved. Nothing is invested. As the number of pensioners increases in the next century, the burden on those making contributions will be heavier. That is why we want to encourage more funded pension provision, where money paid in today is invested for the future. Not only does that create a flow of funds for investment in British industry now; it provides a sustainable means of providing pensions for the future.

That is the general background. I will deal now with the allegations of mis-selling of pension transfers and with some of the specific points that the hon. Gentleman raised. Choosing a pension will be one of the most important financial decisions that most people will ever make. And however people choose to save for their retirement, it is essential that their pension rights should be secure. With personal pensions, that means that people must have access to the information that they need to make an informed choice. They must be able to rely on the highest standards of expert advice,and they must be able to have confidence that the regulatory framework will protect their interests against the unscrupulous and the incompetent.

When the Securities and Investments Board recently reported evidence of poor compliance with rules governing the sale of personal pensions to people transferring from employers' schemes, the Government made the position clear. Concerns about compliance must be investigated fully, the extent of any mis-selling must be determined and anyone whose pension rights have been jeopardised must be provided with a remedy. As the hon. Member will know, the Securities and Investments Board is currently conducting a major investigation into pension transfers. The board has already acted to prevent and deter any further mis-selling and new guidance has been published designed to raise the standards of future transfer business.

From next month, any financial adviser advocating a transfer from an occupational scheme to a personal pension will have to provide the client with a written statement explaining why the recommendation is suitable. Advisers will have to undertake computerised comparisons of the benefits offered by the occupational and personal schemes, a so-called "transfer value analysis", and supply the results to the customer. Where a client wants to proceed with a transfer against advice, regulators will require evidence that attempts to counsel the customer have been made. From November, if advisers want to undertake transfer business they will have to demonstrate special competence in pensions advice or have their work double checked, and any firm wishing to undertake pension transfer business will be obliged to notify the regulators. Those firms will be subject to special monitoring.

These measures represent a solid step to improve the marketing of personal pensions and to safeguard the interests of the potential investor. In the next few weeks, the Securities and Investments Board will complete its investigations into past mis-selling and we expect a full report. The board will tell personal pension providers and independent intermediaries how they should review pension transfer business and assess compliance with regulators' rules. It will provide guidance on how firms should contact their clients and it will lay down a framework for providing redress to investors who may have been mis-sold a personal pension and suffered disadvantage as a result.

I can therefore repeat the reassurance offered to personal pension investors by my right hon. Friend the Secretary of State a few weeks ago. No investor need be alarmed; nor should investors take precipitate action. If investors have any questions about their scheme, they should contact their personal pension provider.

The hon. Gentleman referred to a particular firm which included disclaimers in its contracts. I cannot comment on allegations against a specific firm. All authorised companies are bound by the regulators' rules on selling personal pensions, and any evidence of malpractice should be referred to the relevant regulator. I can tell the hon. Gentleman that the regulators will treat with lively scepticism claims by firms that personal pensions have been sold without advice. They will expect all such claims to be backed by credible evidence that the customer genuinely asked for a transaction to go ahead without taking advice from the firm.

As I have said, the Securities and Investments Board published guidance on future pension transfers in May. That set out new guidelines for firms on "execution only" business as it is called. That is defined as a transaction where the customer simply gives his order and does not rely on the firm to advise him about the merits of the transaction or its suitability for him. The board considers that such transactions are likely to be unusual where there has been personal contact or correspondence between the individual and an intermediary. The guidance advises firms carefully to consider their position before classifying a transaction as execution only, and a customer's signature on a standard form may not be regarded as conclusive evidence of a transaction's execution only status. All firms should bear that in mind.

When the hon. Gentleman asked about annuity rates he raised an important point and drew attention to a difficulty that people experience when turning their personal pension rights into an annuity. Of course annuity rates simply reflect market conditions. Interest rates and inflation have fallen over the period that the hon. Gentleman described, and in that time annuity rates have also fallen. The key to preserving the purchasing power of annuities is the maintenance of tight control of inflation. Between 1990 and 1994, annuity rates fell, on average, by about 25 per cent. Inflation and interest rates fell by more than that, and providers would be entitled to point out that annuity rates in 1990 and surrounding years would have been unusually high—much higher than they might normally have been. The hon. Gentleman has raised an important point and the Government are aware that individuals would like more flexibility over the timing of their annuity purchases. We are committed to developing proposals that will enhance flexibility without jeopardising security in retirement. In developing those proposals, we will bear in mind the important points that the hon. Gentleman made.

I turn briefly to the alleged mis-selling of appropriate personal pensions, which allow people to opt out of SERPS. The Securities and Investments Board's current investigation relates to the sale of personal pensions to people leaving occupational schemes; it does not address the sale of personal pensions in place of SERPS. The chairman of the SIB has indicated that he has no evidence of systematic non-compliance with selling practice rules in this area, but that the SIB will nevertheless review sales of appropriate personal pensions in due course. In the meantime, we must not exaggerate the possible scale of the problem. The hon. Gentleman referred to a Coopers and Lybrand report, but he is aware that Coopers and Lybrand has asked people not to read too much into its figures and not to exaggerate the scale of the problem. Once again, we shall expect the SIB to investigate the matter thoroughly. Mis-selling which has caused harm to investors must be identified and those responsible for providing bad advice must provide suitable redress.

[Mr. William Hague]

The hon. Gentleman asked about information. The Government are committed to giving people access to information about personal pensions. We want consumers to make informed choices. That means not only firm regulation but the new rules, which the Chancellor has directed the SIB to produce, governing the disclosure of charges and commissions are important. These will come into effect next month. In future, illustrations of personal pension benefits must reflect the actual charges levied by a provider—.

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned accordingly at one minute past Three o'clock.

Written Answers to Questions

Monday 23 May 1994

PRIME MINISTER

Mobile Telephones

Mr. Vaz: To ask the Prime Minister, pursuant to his answer of 5 May, *Official Report*, column *614*, what was the cost of calls made on *(a)* car and *(b)* portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

The Prime Minister: Total call charges in the year 1993-94 for *(a)* car telephones were £2,021 and *(b)* portable telephones were £4,570.

The total cost of the equipment was approximately £6,700. There are no maintenance charges for the year 1993-94.

Duchy of Cornwall

Mr. Gordon Prentice: To ask the Prime Minister if he will enter discussions with the Prince of Wales with a view to seeking agreement to increase the voluntary contribution to the Exchequer from the Duchy of Cornwall from 25 per cent. of income to 40 per cent.

The Prime Minister: No. As explained in the report of the royal trustees dated 11 February 1993 (HC464) the Prince of Wales stopped making voluntary contributions to the Exchequer in April 1993. Instead he voluntarily agreed to pay income tax on his personal income in the same way as other taxpayers.

Upper Limb Disorders

Dr. Marek: To ask the Prime Minister what is the present number of civil servants taking legal action against his Office as a result of work-related upper limb disorders.

The Prime Minister: None.

Second World War Commemorations

Mr. Alfred Morris: To ask the Prime Minister when he expects to be able to reply to the letter sent to him in April by the right hon. Member for Manchester, Wythenshawe, about help for war-disabled ex-service men and women and war widows to mark the 50th anniversary of D-day.

The Prime Minister: I shall reply to the right hon. Member's letter shortly.

Mr. Winnick: To ask the Prime Minister if it is intended, as part of the 50th anniversary events next year to commemorate the end of the last war, to include an exhibition on the crimes committed by Italian fascists.

The Prime Minister: We have no such plans.

Parliamentary Private Secretaries

Mr. Kirkwood: To ask the Prime Minister if he will publish the current list of parliamentary private secretaries and the Ministers to whom each is attached.

The Prime Minister *[holding answer 16 May 1994]:* The information requested is as follows:

PARLIAMENTARY PRIVATE SECRETARIES
MAY, 1994

Agriculture, Fisheries and Food	
Minister for Agriculture (Mrs. G. Shephard)	Mr. S. Burns
Minister of State (Mr. M. Jack)	Miss E. Nicholson
Defence	
Secretary of State (Mr. M. Rifkind)	Mr. H. Bellingham
Minister of State (Mr. J. Aitken)	Mr. R. Evans
Minister of State (Mr. J. Hanley)	Mr. P. Atkinson
Duchy of Lancaster	
Chancellor of the Duchy (Mr. W. Waldegrave)	Mr. I. Taylor
Education	
Secretary of State (Mr. J. Patten)	Mr. M. Carrington
Minister of State (Lady Blatch)	Mr. J. Clappison
Employment	
Secretary of State (Mr. D. Hunt)	Mr. N. Evans
Minister of State (Mr. M. Forsyth)	Mrs. A. Browning
Environment	
Secretary of State (Mr. J. Gummer)	Mr. J. Paice
Minister of State (Sir G. Young)	Dr. C. Goodson-Wickes
Minister of State (Mr. D. Curry)	Mr. D. French
Minister of State (Mr. R. Atkins)	Mr. J. Hayes
Foreign Office	
Secretary of State (Mr. D. Hurd)	Mr. D. Martin
Minister of State (Mr. A. Goodlad)	Mr. G. Kynoch
Minister of State (Mr. D. Heathcoat-Amory)	Mr. R. Richards
Minister for Overseas Development (Lady Chalker)	Mr. M. Robinson
PUSS (Mr. M. Lennox-Boyd)	Mr. M. Robinson

Health	
Secretary of State (Mrs. V. Bottomley)	Mr. K. Mans
Minister of State (Dr. B. Mawhinney)	Mr. M. Trend
Home Office	
Secretary of State (Mr. M. Howard)	Dr. L. Fox
Minister of State (Mr. P. Lloyd)	Mr. O. Heald
Minister of State (Mr. D. MacLean)	Mr. J. Arnold
Law Officers Department	
Attorney-General (Sir N. Lyell)	Mr. T. Devlin
Solicitor-General (Sir D. Spencer)	Mr. G. Streeter
National Heritage	
Secretary of State (Mr. P. Brooke)	Mr. A. Steen
Northern Ireland Office	
Secretary of State (Sir. P. Mayhew)	Mr. M. Moss
Minister of State (Sir J. Wheeler)	Mr. M. Bates
Minister of State (Mr. M. Ancram)	Mr. R. Robertson
Prime Minister	Mr. G. Bright
Privy Council Office	
Lord President and Leader of the House of Commons (Mr. T. Newton)	Mr. J. Marshall
Scottish Office	
Secretary of State (Mr. I. Lang)	Mr. S. Coombs
Social Security	
Secretary of State (Mr. P. Lilley)	Mr. P. Merchant
Minister of State (Mr. N. Scott)	Mrs. J. Lait
PUSS (Mr. A. Burt/Lord Astor/Mr. W. Hague)	Mr. I Bruce
Trade and Industry	
President of the Board (Mr. M. Heseltine)	Mr. R. Ottaway
Minister of State (Mr. T. Eggar)	Mr. P. Luff
Minister of State (Mr. T. Sainsbury)	Mrs. A. Knight
Minister of State (Mr. R. Needham)	Mr. A. Rowe
Transport	
Secretary of State (Mr. J. MacGregor)	Mr. G. Riddick
Treasury	
Chancellor of the Exchequer (Mr. K. Clarke)	Mr. P. Oppenheim
Chief Secretary (Mr. M. Portillo)	Mr. D. Amess
Financial Secretary (Mr. S. Dorrell)	Mr. G. Brandreth
Paymaster General (Sir J. Cope)	Dr. I Twinn
Welsh Office	
Secretary of State (Mr. J. Redwood)	Mr. D. Evennett
Minister of State (Sir W. Roberts)	Mr. D. Tredinnick

LORD CHANCELLOR'S DEPARTMENT

Small Claims Court

Mr. Peter Atkinson: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the agencies which supply free assistance and legal advice to those people who wish to pursue claims through the small claims court.

Mr. John M. Taylor: This information is not kept centrally. The National Association of Citizens Advice Bureaux issues a list of all individual bureaux in England and Wales but this is being reprinted and will not be available until mid-June. In addition, advice and assistance is provided by law centres and other advice agencies in England and Wales, which are free to decide which kinds of problems to cover.

Mr. Pawsey: To ask the Parliamentary Secretary, Lord Chancellor's Department what qualifications lay representatives will be required to possess before they can represent plaintiffs in the small claims court as set out in the consultation paper "Small Personal Injury Claims"; and from which professions they will be drawn.

Mr. John M. Taylor: The Lay Representatives (Rights of Audience) Order 1992 allows litigants a free choice of representative to help them pursue or defend their case in court. It is a matter for the litigants themselves whom they choose. Lay representatives are required to act in an honest, reasonable and responsible manner; if they fail to do so the court may withdraw their right of audience.

Personal Injury Cases

Mr. Peter Atkinson: To ask the Parliamentary Secretary, Lord Chancellor's Department what experience or professional qualifications are required of those people who work in agencies providing free legal advice on personal injury cases.

Mr. John M. Taylor: Individual agencies are best placed to decide the level of skills and training required. At present, only solicitors are able to obtain payment from the legal aid fund for advice given. However, the Legal Aid Board is currently working with the advice sector to define quality assurance standards for advice and assistance in areas of social welfare law. This would enable non-solicitors in agencies meeting these standards to deliver advice and assistance through the legal aid scheme. At present there are no plans to extend this to personal injury cases.

Mr. Pawsey: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the average sum of money awarded in those personal injury cases heard in county courts in each year since 1990.

Mr. John M. Taylor: Based on sample surveys, the estimated average value of monetary awards for personal injury cases disposed of by trial at county courts in each year from 1990 to 1993 inclusive is £3,100, £3,700, £4,500 and £7,300 respectively. Corresponding figures relating to cases disposed of by arbitration are not available and could be obtained only at disproportionate cost.

Mr. Peter Atkinson: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) how many malpractice claims have been brought against general practitioners for failing to diagnose correctly the severity of personal injury for each year since 1990;

(2) how many general practitioners have been disciplined as a result of a malpractice claim brought against them for failing to diagnose the severity of a personal injury for each year since 1990.

Mr. John M. Taylor: This information is not held centrally by the Lord Chancellor's Department and could be obtained only at disproportionate cost.

District Judges

Mr. Pawsey: To ask the Parliamentary Secretary, Lord Chancellor's Department what were the average number of cases heard and the average hours worked by a district judge in each year since 1990.

Mr. John M. Taylor: Based on sample surveys, the estimated average number of cases disposed of by trial at county courts per district judge in each year from 1990 to 1993 inclusive is 18, 24, 28 and 24 respectively. Only a small part of a district judge's time is spent on trial work but corresponding figures relating to cases disposed of by arbitration and the information requested on average hours worked are not available and could be obtained only at disproportionate cost.

Belmarsh Magistrates Court

Mr. Austin-Walker: To ask the Parliamentary Secretary, Lord Chancellor's Department on what date Belmarsh magistrates court opened; on how many occasions there has been a sitting on each weekday since the opening; and if he will make a statement.

Mr. John M. Taylor: The Belmarsh court complex was officially opened on 21 January 1994. The magistrates court sat for the first time on 14 March 1994. Information about the numbers of sittings is not yet available centrally.

Equal Opportunities

Mr. Richards: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement about equal opportunities for women and people of ethnic minority origin in relation to appointments to the professional judiciary in England and Wales.

Mr. John M. Taylor: In July last year, the Lord Chancellor announced a programme aimed at developing further the current procedures for judicial appointments, including measures to encourage applications by women and ethnic minority practitioners. In carrying out his responsibilities for the appointment of judges, the Lord Chancellor has always supported the principle of equality of opportunity and will continue to do so; the Lord Chancellor does not discriminate on grounds of gender or ethnic origin.

The Lord Chancellor sets high standards for appointments to judicial office; those appointed are selected on merit from suitably qualified candidates. The Lord Chancellor seeks to ensure that every possible step is taken to treat fairly those who apply for judicial office and that decisions are based on an assessment of suitability which is as objective as possible.

The Lord Chancellor welcomes and encourages applications from all suitably qualified legal practitioners, including women and practitioners of ethnic minority origin.

The Lord Chancellor is carrying forward his commitment to equality of opportunity in judicial appointments in the following ways:

1. Continuing to encourage women and ethnic minority practitioners to apply for judicial appointment by:—
    - (i) promoting awareness of opportunities for judicial appointments for women and people of ethnic minority origin among senior members of the judiciary and the profession and inviting them to encourage suitably qualified women and people of ethnic minority origin to apply; and
    - (ii) publicising the opportunities for all to apply for judicial appointments in speeches, at meetings and by other suitable means;
2. Applying age limits for judicial appointments flexibly in the case of practitioners who take a career break or who start their professional career late;
3. Conducting reviews of all ethnic minority and female applicants for judicial appointment from time to time to ensure that suitable candidates from these groups are properly considered;
4. Ensuring that women and ethnic minority candidates are included, wherever possible, among those under consideration for particular posts;
5. Providing opportunities for familiarisation with the work involved in a judicial post for prospective applicants where appropriate;
6. Taking due account of the domestic circumstances of individuals concerned wherever possible when making appointments to particular geographical locations;
7. Recording the number of female and ethnic minority members of the full-time and part-time judiciary and taking steps to improve the information about the ethnic origin of serving office holders and applicants for judicial appointment;
8. Arranging for an official in the judicial appointment group in my Department to:—
    - (i) act as a liaison point with others about equal opportunities matters in relation to judicial appointments; and
    - (ii) advise on policies in this field;
9. Undertaking to keep this programme under review in the light of general developments in the field of equal opportunities and in accordance with any changes in the procedures for judicial appointments.

CHURCH COMMISSIONERS

Ordination of Women

Mr. Roger Evans: To ask the right hon. Member for Selby, representing the Church Commissioners, if he will list the names of the individuals and the amounts of award made to them under section 5 of the Ordination of Women (Financial Provisions) Measure 1994.

Mr. Alison: I have consulted the Pensions Board, which is concerned in the administration of this matter and shares the commissioners' view that it is not appropriate to publish details of support offered to particular individuals. Eight awards of varying amounts have been made to date under this section, depending on individual circumstances.

Mr. Roger Evans: To ask the right hon. Member for Selby, representing the Church Commissioners, if he will list the names of individuals and the amounts of award made to them under section 1 of the Ordination of Women (Financial Provisions) Measure 1994.

Mr. Alison: I refer the hon. Member to my previous answer. Awards have been made under this section to 118 individuals.

Estates Commission (Pensions)

Mr. Frank Field: To ask the right hon. Member for Selby, representing the Church Commissioners, who is drawing pensions after holding the offices of the First and Third Estates Commissioner, and of what amounts; on what basis the rate of pensions is calculated; and how many contributory years are required for a full plan.

Mr. Alison: The basis of calculation of the pensions payable to retired Church Estates Commissioners is set out in section 20 of the Church Property (Miscellaneous Provisions) Measure, 1960, which contains the following provisions:

> (1) The Commissioners shall have power to grant to any First Church Estates Commissioner or Third Church Estates Commissioner who retires from from service as such a Commissioner—
>
> (a) if he has performed not less than fifteen years pensionable service, a pension of such amount as the Commissioners may determine not exceeding two-thirds of the salary to which he was entitled under section 9 of the Ecclesiastical Commissioner (Powers) Measure 1938 immediately before retirement;
>
> (b) if he has performed less than fifteen years but not less than five years pensionable service, a pension of such amount as the Commissioners may determine, being an amount not exceeding the aggregate of one thrid of the salary to which he was so entitled and one thirtieth of that salary of each completed year of pensionable service in excess of five;
>
> (c) if he has performed less than five years pensionable service but retires by reason of permanent disability for the performance of the duties of his office, a pension of such amount as the Commissioners may determine not exceeding one-third of the salary to which he was so entitled;
>
> and a pension under this subjection shall be payable for the remainder of the life to whom it is granted.
>
> In determining the amount of the pension, if any, to be granted to a person under this subsection the Commissioners shall have regard to any superannuation benefits to which he may be entitled in respect of any other service performed by him before his pensionable service began.

No lump sum is payable on retirement other than by commutation, nor is there provision for a widow's or widower's pension, other than by allocation of pension.

Four pensions are currently in payment at a total cost in 1993 of £84,000. It is not the commissioners' practice to publish details of payments made to particular individuals.

TREASURY

Third-world Debt

Mr. William O'Brien: To ask the Chancellor of the Exchequer if he will make a statement about the Government's most recent proposals to reduce third-world debt.

Mr. Nelson: As a result of an initiative launched by my right hon. Friend the Prime Minister in 1990, the Paris Club of international creditor Governments now offers concessional rescheduling of the official bilateral debts of the poorest and most indebted countries. Such concessional reschedulings are known as Trinidad terms.

Under present arrangements, 50 per cent. of the eligible debts falling due over the course of an IMF economic adjustment programme are written off. In addition, the creditors undertake to consider writing off 50 per cent. of the whole stock of debt if the debtor maintains a good record with both its debt service and IMF programme. To date, 22 countries have benefited from Trinidad terms. Over the lifetime of these agreements more than $7 billion-worth of debt will be restructured and some $2 billion-worth of debt forgiven.

While these agreements represent a substantial achievement, the United Kingdom considers that more could be done to help the poorest and most indebted countries. We are thus pressing our fellow Paris Club creditors to improve the existing Trinidad terms. In particular, we hope that they will agree to give debt reduction along the lines of the Prime Minister's original proposal. This would mean: an immediate stock of debt reduction for countries which have edstablished a track record of reform under an IMF adjustment programme; and increasing the level of debt and debt service relief, from 50 per cent. to some two-thirds on average and up to 80 per cent. for the most deserving countries on a case-by-case basis; Last July, the Tokyo summit of G7 Heads of Government backed the United Kingdom's proposals for earlier stock of debt reductions. Despite this, negotiations within the Paris Club are proceeding slowly.

Economic and Finance Council

Mr. Simon Burns: To ask the Chancellor of the Exchequer if he will make a statement on the most recent Council meeting of European Economic and Finance Ministers.

Mr. Kenneth Clarke: The Economic and Finance Council of the European Union—ECOFIN—met in Brussels on 16 May. I represented the United Kingdom.

We discussed the economic situation in the European Union on the basis of the Commission's latest forecasts and in the context of preparing to revise the broad economic guidelines. Overall, the Commission's forecasts were more optimistic than its previous ones, although it emphasised the need for action on budget deficits. I welcomed the Commission's acknowledgement of the improvement in United Kingdom unemployment and the measures to consolidate the United Kingdom's public finances. But I felt that the Commission was too pessimistic on the United Kingdom growth and inflation outlook. I stated that the United Kingdom was well on the way to sustained growth and low inflation. There was a presentation of the Commission's annual report on fraud and of its anti-fraud strategy, which will be discussed in greater detail at a later Council.

The Council discussed the follow-up to the conclusions of the Brussels European Council on the Commission's White Paper, "Growth, Competitiveness and Employment". President Delors gave a presentation of the Commission's latest progress report. I supported a German proposal to establish a deregulation "commission" of experts to increase the pace of deregulation and the removal of unnecessary burdents on businesses. I also spoke about the need for the June ECOFIN to send clear conclusions to the Corfu European Council, and said that there was no need for new Community instruments to finance trans-European networks.

There was also discussion of financial assistance to countries in central and eastern Europe. Political agreement was reached on loans to Moldova and Romania for balance of payments support, and the Council confirmed a loan to Bulgaria. The Council deferred discussion of a grant to Albania and an additional loan to Bulgaria.

There were no formal votes on issues discussed at the Council.

Inheritance Tax

Dr. Strang: To ask the Chancellor of the Exchequer what measures the Government have put in place to ensure that agricultural land giving qualification to inheritance tax relief at 100 per cent. is not being purchased as a means of avoiding inheritance tax relief at 40 per cent.

Mr. Nelson *[holding answer 19 May 1994]:* Qualifying farm land has normally to be owned and farmed by the owner for at least two years before a transfer in order to obtain 100 per cent. relief. This requirement targets the relief at working farms and ensures that speculative investors in land dealing companies do not benefit.

HOME DEPARTMENT

Private Security Firms

Mrs. Roche: To ask the Secretary of State for the Home Department, pursuant to his answer of 17 May, *Official Report,* column *383,* if he will publish in the *Official Report* the information which his Department is collating about the extent of the use of private security firms when it is available.

Mr. Michael Howard: Yes.

Immigration

Mr. Allen: To ask the Secretary of State for the Home Department what provisions of national law are applied as regards the authorisation of family members of Turkish workers to join the worker for the purposes of article 7 of association Council Decision 1/80 concluded in accordance with the Turkey EC association agreement of 1963.

Mr. Charles Wardle: Those contained in paragraph 46 of the Immigration Rules (HC 251).

Mr. Allen: To ask the Secretary of State for the Home Department what arrangements have been implemented to give effect to article 10(2) of regulation 1612/68 EC to facilitate the admission of family members not coming within article 10(1) of the regulation but who are dependent on, or lived under the same roof in the country from whence they come, as migrant workers citizens of the Union and to favour the admission of such family members under article 1(2) of directive 73/148 EC.

Mr. Charles Wardle: Regulation 1612/68 has direct effect in United Kingdom law and does not need to be implemented separately. Article 1(2) of Directive 73/148, does not require specific implementation as it is not concerned with a Community entitlement. However, in accordance with the provisions of article 1(2) favourable consideration is given to allowing the admission of those family members who have no other entitlement to join a European economic area national resident in the United Kingdom on whom they are dependent.

Mr. Allen: To ask the Secretary of State for the Home Department what is the distinction between social assistance and social security as those terms are used in the Immigration (European Economic Area) Order 1994.

Mr. Charles Wardle: "Social assistance" is the term used in article 1 of directives 90/364/EEC—the general right of residence—and 93/96/EEC—the right of residence for students—whereas directive 90/365/EEC—the right of residence for employees and self-employed persons who have ceased their occupational activity—uses the term "social security" in article 1.

"Social security" means statutory schemes, whether contributory or non-contributory, which are designed to meet the specific contingencies listed in article 4(1) of regulation (EEC) No. 1408/71 on social security or migrant workers. The term "social assistance" is not defined in EC law but is generally interpreted as covering non-contributory schemes which are often means-tested and/or based on need.

Mobile Telephones

Mr. Vaz: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 May, *Official Report,* columns *9-10,* what was the cost of calls made on mobile telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. Howard: Mobile telephone call charges in my Department, including executive agencies, are estimated to be about £90,000. All or nearly all mobile telephones are bought, at costs which vary from year to year and cannot be quantified except at disproportionate cost. Maintenance costs are small, as it is not deemed necessary to let maintenance contracts.

Correspondence

Mr. Hain: To ask the Secretary of State for the Home Department if he will publish in the *Official Report* the letter on Direct Mail from the hon. Member for Neath on 10 November and the Minister of State's reply of 13 December.

Mr. Peter Lloyd: I am placing a copy of the correspondence in the Library of the House.

Police Authority Funding

Mr. Bates: To ask the Secretary of State for the Home Department if he will list for each police authority *(a)* the standard spending assessment and *(b)* the actual spending broken down into (i) local authority actual spend and (ii) Home Office grant; *(c)* the authorised establishment levels and *(d)* the actual establishment levels for the last year for which figures are available.

Mr. Charles Wardle: The information provided in the tables is for 1992-93, which is the most recent year for which expenditure outturn is available:

Table A

(£ million)

County and combined police authorities (England)	*1992-93 Police SSA*[1]	*1992-93 Total local authority current expenditure*	*1992-93 Police current grant paid*
Avon and Somerset	63·999	124·322	63·404
Bedfordshire	25·127	44·210	22·547
Cambridgeshire	26·516	50·027	25·514
Cheshire	39·805	72·966	37·213
Cleveland	31·139	59·802	30·499
Cumbria	24·609	49·501	25·245
Derbyshire	38·354	75·791	38·653
Devon and Cornwall	60·702	128·271	65·418
Dorset	26·993	55·644	28·378
Durham	28·796	53·226	27·146
Essex	64·662	125·833	64·175
Gloucestershire	24·546	48·067	24·514
Hampshire	71·551	135·434	69·071
Hertfordshire	38·803	68·523	34·947
Humberside	42·168	84·119	42·901
Kent	68·381	137·696	70·225
Lancashire	66·943	128·669	65·621
Leicestershire	38·416	72·784	37·120
Lincolnshire	25·002	51·065	26·043
Norfolk	29·978	59·084	30·133
Northamptonshire	24·671	50·617	25·815
North Yorkshire	29·398	58·444	29·806
Nottinghamshire	48·595	89·489	45·639
Staffordshire	45·921	87·742	44·748
Suffolk	25·562	50·731	25·873
Surrey	39·239	70·879	36·148
Sussex	60·754	115·114	58·708
Thames Valley	85·179	160·512	81·861
Warwickshire	21·520	42·489	21·669
West Mercia	42·562	82·670	42·162
Wiltshire	26·495	51·400	26·214
Metropolitan county police authorities			
Greater Manchester	144·294	272·190	138·817
Merseyside	97·596	189·280	96·533
Northumbria	74·897	136·534	69·632
South Yorkshire	62·880	117·544	59·948
West Midlands	143·595	284·274	144·980
West Yorkshire	110·489	208·724	106·449
City of London	23·187	44·246	22·565
Metropolitan police	750·134	1,453·982	756·070
Welsh police authorities[2]			
Dyfed Powys	—	38·896	19·837
Gwent	—	38·965	19·872
North Wales	—	56·047	28·584
South Wales	—	127·301	64·923

Note:

[1] For the English county and combined police authorities the police SSAs shown are the police component of the county council's SSAs.

[2] Welsh county councils SSAs do not identify separate components for individual services such as police.

	Approved establishment	*Actual strength*
As at 31 March 1993		
COUNTY AND COMBINED FORCES		
Avon and Somerset	3,087	3,068
Bedfordshire	1,178	1,168
Cambridgeshire	1,241	1,265
Cheshire	1,920	1,908
Cleveland	1,502	1,478
Cumbria	1,187	1,196
Derbyshire	1,850	1,830
Devon and Cornwall	2,928	2,910
Dorset	1,302	1,302
Durham	1,389	1,381
Essex	2,950	2,936
Gloucestershire	1,184	1,149
Hampshire	3,269	3,275

	Approved establishment	*Actual strength*
Hertfordshire	1,684	1,700
Humberside	2,034	2,032
Kent	3,136	3,146
Lancashire	3,229	3,207
Leicestershire	1,853	1,805
Lincolnshire	1,206	1,200
Norfolk	1,446	1,440
Northamptonshire	1,190	1,199
North Yorkshire	1,418	1,393
Nottinghamshire	2,344	2,327
Staffordshire	2,215	2,179
Suffolk	1,233	1,241
Surrey	1,673	1,693
Sussex	3,014	3,008
Thames Valley	3,812	3,840
Warwickshire	1,020	1,020
West Mercia	2,053	2,054
Wiltshire	1,181	1,265
METROPOLITAN COUNTY FORCES		
Greater Manchester	7,077	7,060
Merseyside	4,706	4,669
Northumbria	3,613	3,563
South Yorkshire	3,031	3,032
West Midlands	6,977	6,953
West Yorkshire	5,295	5,037
City of London	798	825
Metropolitan	28,118	27,867
WELSH FORCES		
Dyfed-Powys	969	967
Gwent	1,010	1,004
North Wales	1,369	1,360
South Wales	3,168	3,176
TOTAL	126,859	126,128

Belmarsh Prison

Mr. Austin-Walker: To ask the Secretary of State for the Home Department on how many occasions prisoners or charged persons have been transported between Belmarsh courts and Belmarsh prison by vehicles since the connecting security tunnel was opened; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. John Austin-Walker, dated 23 May 1994:

The Home Secretary has asked me to reply to your recent Question about the number of occasions prisoners or charged persons have been transported between Belmarsh Courts and Belmarsh Prison by vehicles since the connecting security tunnel was opened.

Woolwich Crown Court is housed in the building adjacent to Belmarsh prison and the two are connected by the secure tunnel. Motor transport was used on twenty-two occasions to transport prisoners between the two buildings. Twenty of these journeys were as a result of the closure of Greenwich Magistrates Court for renovation. While hearings before magistrates were being held in available court space at Woolwich Crown Court it was decided to continue with the established routine for court escorts. A change in practice would have necessitated the movement of remand prisoners through the tunnel at the same time as category A and trial prisoners. The combination of these movements would have been difficult to control, and presented potential risks.

The other two journeys were police escorts and not under the control of the Prison Service.

The tunnel is now used for all escorts whenever Woolwich Crown Court is sitting.

Secure Training Units

Mr. David Porter: To ask the Secretary of State for the Home Department what estimate he has put on the cost of *(a)* building and *(b)* running annually the first five secure training units for persistent juvenile offenders; and if he will make a statement.

Mr. Maclean: The annual cost of secure training centres is estimated to be in excess of £30 million a year. This estimate includes running, building and financing costs, because contractors will be providing the capital to build the centres. The cost of post-release supervision is also included, as are Home Office administrative costs. The actual costs will depend on the results of the competitive tendering exercise.

EU Residence Rights

Mr. Allen: To ask the Secretary of State for the Home Department (1) in what United Kingdom legislation provision is made for retired self-employed citizens of the European Union entitled to the benefits set out in Council directive 75/34 EC relating to residence rights;

(2) in what United Kingdom legislation provision is made to give effect to article 5 of Council directive 75/34 relating to the period within which a retired self-employed citizen of the European Union may exercise the right of residence.

Mr. Charles Wardle: The draft (European Economic Area) Order 1994, which was approved by the House on 9 May 1994, makes full provision to transpose the EC rights of residence directives, including directive 75/34/EEC, into the United Kingdom law. Hitherto, the directives have been implemented either by way of the immigration rules (HC 251) or administratively.

Disabled Prisoners

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department (1) what provisions are made in prisons for disabled prisoners;

(2) if he will list those prisons where *(a)* provisions are made for disabled prisoners and *(b)* no provision is made; and what plans he has for improvements in facilities for prisoners with disabilities;

(3) if he will publish the findings and recommendation of his most recent survey of *(a)* disabled facilities for prisoners and *(b)* for visitors to prisons who have disabilities.

Mr. Peter Lloyd: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Jim Cunningham, dated 23 May 1994:

The Home Secretary has asked me to reply to your recent Questions about facilities in prisons for disabled prisoners.

The practice of the Prison Service is for staff to ensure that the needs of prisoners with disabilities are met on an individual basis, from reception throughout their time in custody. Staff assess their requirements and seek to provide particular facilities depending on the nature of the disability. The construction of facilities for disabled prisoners, staff and visitors is part of this process and local minor work—such as cell modification—will cover most individual needs. For this reason, it is not possible to categorise prisons into those that do and do not have provision for disabled persons.

The Prison Design Briefing System guidelines provide for access ramps, lifts, toilets, and for circulation routes to be made suitable for the passage of wheelchairs. These standards are taken into account in the building of new and the refurbishment of old prisons when this is possible.

Surveys of facilities for the disabled provided as part of the capital building programme were undertaken in 1989 and 1993, but neither were able to cover the vast majority of building work undertaken locally, nor of the other facilities that had been supplied for disabled prisoners. There would be no merit in publishing such incomplete documents.

Governors identify in their Strategic Development Plans what building work and facilities may be required in the forthcoming year for prisoners, staff and visitors. Most schemes will not require large sums of money and can be met using local funds.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what representations from organisations representing the interests of prisoners with disabilities he has received; and if he will list the organisations concerned.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Jim Cunningham, dated 23 May 1994:

The Home Secretary has asked me to reply to your recent Question about representations from organisations representing the interests of prisoners with disabilities.

Representations have recently been received from "*Disabilty Matters Limited*" and "*Mikewatch*", an organisation set up to act on behalf of an individual disabled prisoner.

The organisations have expressed concern over the opportunities that prisoners with disabilities have to participate in the education, work and recreational activities which are available to other prisoners.

The supply of equipment to meet the special needs of prisoners and the opportunity to transfer to other establishments has also been raised.

These representations are being considered and a reply will be sent to the organisations concerned as soon as possible.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department how many prisoners have disabilities *(a)* in total and *(b)* in each standard age group.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Jim Cunningham, dated 23 May 1994:

The Home Secretary has asked me to reply to your recent Question about the numbers of prisoners who have disabilities, both in total and by age group.

This information is not collected centrally and I regret that it could only be obtained at disproportionate cost.

Market Testing

Ms Ruddock: To ask the Secretary of State for the Home Department what has been the total cost of all market-testing exercises *(a)* within his Department excluding the Prison Service and *(b)* within the Prison Service.

Mr. Charles Wardle: The most recent published figures on the costs of market testing, covering the period April 1992 to December 1993, are contained in table 3 of the "Competing for Quality" section of the citizens charter second report 1994 (Cm. 2540).

Column 3 of that table shows, as an annual figure spread over 10 years, consultancy and other set-up costs for the Home Office of £24,000. It is not possible to identify separately the Prison Service element of this figure. Column 4 of the same table shows, on an annualised basis, central market-testing support costs for the Home Office as £3,383,000. This figure includes costs of £1,626,000 for the Prison Service. These terms are defined in the notes to table 3 on page 102 of the report.

Ms Ruddock: To ask the Secretary of State for the Home Department what was the full cost of the market test of information and library services at his Department including *(a)* the cost incurred by the market-testing division, *(b)* the cost of consultants used by the market-testing division, *(c)* the cost of the in-house bid, *(d)* the cost of consultants used by the in-house team and *(e)* the cost of advice for other internal departments.

Mr. Charles Wardle: A study was undertaken last year of the scope for market-testing the Home Office's information and library services. This study identified a lack of market readiness to provide these services and it was therefore decided not to proceed with the market test. The study also identified efficiency improvements to the existing service. The staff costs for the scoping study are estimated to be about £12,000, substantially lower than the value of the efficiency improvements. No other significant costs were incurred: no consultants were employed and no bids were invited.

Ms Ruddock: To ask the Secretary of State for the Home Department what is the estimated cost of the market test of the research and planning unit; and how many staff hours it is estimated will be involved.

Mr. Charless Wardle: The internal research function of the Home Office's research and planning unit has been included in the Home Office's provisional market-testing programme for the programme year October 1994 to September 1995. If its inclusion in the programme is confirmed, an initial study will consider the scope for testing this activity against the market. In advance of that study, it is not possible to estimate the staff and other costs of any market test.

Asylum Seekers

Mr. Allen: To ask the Secretary of State for the Home Department what is the average length of time of detention in police stations of asylum seekers who are currently being held in detention in police stations; and what are the nationalities of those being held.

Mr. Charles Wardle: This information is not available and could be obtained only at disproportionate cost.

Airways (Claims)

Mr. Madden: To ask the Secretary of State for the Home Department, pursuant to the letter to the hon. Member for Bradford, West, dated 26 April, which he placed in the Library, whether British Caledonian has paid the claim submitted by his Department on 20 February in respect of the costs of detaining and escorting passengers who were refused leave to enter the United Kingdom after arriving on 15 December on BA 1262 (KT 310); whether Leisure International Airways has now paid claims submitted by his Department on 7 March in respect of detention and escorting passengers and submitted on 18 April in respect of detention and escorting passengers who were refused leave to enter the United Kingdom after arriving on 21 December on flight ULE 966; what action is being taken to recover these moneys; and if he will make a statement.

Mr. Charles Wardle: In April, Caledonian Airways Ltd. settled its invoices in full. Payment is still awaited from Leisure International Airways.

Prisoners (Home Leave)

Mr. Colin Shepherd: To ask the Secretary of State for the Home Department when he will issue his consultative document on the subject of home leave for prisoners; and what will be the timetable for the submission of responses.

Mr. Peter Lloyd: The final report by the working group reviewing the operation of the home leave and temporary release schemes has not yet been submitted to the Home Secretary. Initial recommendations by the working group have been considered by the Prisons Board and the Home Secretary.

The working group includes representatives of the organisations principally affected, including the Prison Service, probation service, police and victim support. There are currently no plans to issue the final report for further consultation.

OVERSEAS DEVELOPMENT

Aid and Trade Provision

43. **Mrs. Anne Campbell:** To ask the Secretary of State for Foreign and Commonwealth Affairs which are the three firms in the United Kingdom which have benefited most from the aid and trade provisions in the past five years.

Mr. Lennox-Boyd: The three companies are Balfour Beatty, Foster Wheeler and Snamprogetti (UK) Ltd.

Know-how Funds

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what new proposals he has to improve the application of know-how funds in the Baltic states.

Mr. Lennox-Boyd: The know-how fund in the Baltic states will continue to provide rapid and flexible help for the reform process.

Humanitarian Aid

Dr. Goodson-Wickes: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he has had to improve the delivery of humanitarian aid through the United Nations.

Mr. Lennox-Boyd: We have a continuing dialogue with the United Nations on humanitarian relief issues. Most recently, the United Nations Under-Secretary General for Humanitarian Affairs called on the Minister for Overseas Development on 12 May. My noble Friend intends to discuss these matters further in New York this week.

Developing Countries

Mrs. Roche: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the criteria used for deciding on the level of aid to developing countries.

Mr. Lennox-Boyd: We give aid where it will be most effective in promoting sustainable economic and social development, focused on the poorest countries.

Population and Reproductive Health

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how many votes the European Union will have at the international conference on population and development in Cairo in September; and whether he expects each European Union member state to cast its vote separately on decisions about the policy declaration of the conference.

Mr. Lennox-Boyd: Each member of the United Nations has one vote. However, we expect the content of the conference document to be decided by consensus.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs who will be in the British delegation to the international conference on population and development to be held in Cairo in September.

Mr. Lennox-Boyd: The British delegation to the international conference on population and development will be led by my right hon. Friend the Minister for Overseas Development and will include staff of the Overseas Development Administration, the diplomatic wing of Foreign and Commonwealth Office, the Department of Health, the Office of Population Censuses and Surveys and the British Council. The chairman of the all-party parliamentary group on population and development and three representatives from non-governmental organisations are also expected to join the delegation.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which are the next priority countries for the Overseas Development Administration in terms of increased assistance for reproductive health.

Mr. Lennox-Boyd: The priority countries in which ODA will be concentrating bilateral assistance for reproductive health will be announced by my right hon. Friend the Minister for Overseas Development at a population meeting to be held at the Royal Society on July 11.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in the development policy of the European Union in respect of population and reproductive health matters.

Mr. Lennox-Boyd: The European Union maintained unanimity on population and reproductive health policy matters during negotiations in April on the draft plan of action for the international conference on population and development, which takes place in Cairo in September. Under the Horizon 2000 initiative aimed at enhancing co-ordination between the Commission and member states' development assistance in the run-up to the year 2000, the family planning resolution agreed by the Council and member states meeting in Council in November 1992 will be reviewed in 1995. As part of the same process the Development Council approved guidelines on health and HIV/AIDS at its meeting on 6 May 1994.

Multinational Aid

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of multilateral overseas development assistance has been directed through *(a)* the European Community or European Union and *(b)* each of the United Nations multilateral agencies in each year since 1987.

Mr. Lennox-Boyd: The breakdown is as follows:

United Kingdom multilateral net official development assistance
Percentage through EC and United Nations agencies

Recipient	*1987 (per cent.)*	*1988 (per cent.)*	*1989 (per cent.)*	*1990 (per cent.)*	*1991 (per cent.)*	*1992 (per cent.)*
Total European Communities	43·9	40·2	44·4	50·8	51·9	45·0
UNDP Development Programme	4·2	3·6	3·8	4·1	3·6	3·5
UNICEF Children's Fund	2·2	1·8	1·8	1·4	1·2	1·2
UNRWA Palestine Refugees	1·0	0·8	0·8	0·9	0·8	1·0
WFP World Food Programme	1·9	0·7	2·3	0·6	1·8	1·7
UNHCR Commission for Refugees	2·7	2·9	2·8	3·0	3·0	3·3
UNFPA Population Activities	0·9	0·9	0·8	0·5	1·3	1·1
World Health Organisation	1·7	2·5	1·8	2·9	2·2	2·2
International Atomic Energy Authority	0·9	0·8	0·7	0·9	0·8	0·8
UN Industrial Development Organisation	0·4	0·3	0·3	0·4	0·3	0·3
UN Fund for Drug Abuse Control	0·3	0·2	0·2	0·2	0·1	0·0
UN Environment Programme	0·2	0·2	0·4	0·5	0·5	0·5
UN Industrial Development Fund	0·1	0·1	0·1	0·1	0·1	0·1
UN Border Relief	0·1	0·0	0·1	0·0	0·1	0·0
UN Special Appeals[2]	0·0	0·0	0·0	0·0	0·0	3·0
UN General Contributions	0·0	0·0	0·0	0·0	0·0	0·4
UN Regular Budget	0·5	0·2	0·3	0·0	0·0	0·7
UN Tropical Diseases Research	0·0	0·2	0·0	0·0	0·0	0·0
UN Other[1]	0·1	0·1	0·1	0·1	0·1	0·2
Food and Agricultural Organisation	0·3	0·4	0·4	0·5	0·4	0·6
World Meteorological Organisation	0·2	0·1	0·1	0·1	0·0	0·0
International Labour Organisation	0·1	0·1	0·2	0·2	0·1	0·1
UNO	0·0	0·0	0·0	0·4	0·4	0·0
Total United Nations	17·7	15·8	16·9	16·8	16·8	20·6
Multilateral Total	100·0	100·0	100·0	100·0	100·0	100·0

[1] This includes United Kingdom contributions to: UN Development Fund for Women, UN Training in Southern Africa, UN Centre for Human Settlements, UN office in Vienna, UN Conference on Trade and Development, UN Volunteers, UN Disaster Relief Organisation, Universal Postal Union, International Telecommunications Union, World Intellectual Property Organisation and Other UN Technical Cooperation.

[2] Prior to 1992, payments in respect of special appeals were included in the totals of the United Nations organisation concerned, e.g. UNHCR. In 1992, United Nations special appeals payments were grouped together and reported to DAC as "UN Special Appeals".

Civil Servants

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs how many civil servants there are in the Overseas Development Administration currently; and how many there were *(a)* in 1984 and *(b)* in 1974; and if he will make a statement.

Mr. Lennox-Boyd: The requested information is:

	1974	*1984*	*1994*
Total staff numbers as at 1 April	2,164	1,756	1,554

Reductions have been made possible through rationalisation and efficiency improvements.

SCOTLAND

Lothian Health

Dr. Strang: To ask the Secretary of State for Scotland when he received Lothian Health's acute services strategy; and when he will announce his decision on it.

Mr. Stewart: Lothian Health's final acute services strategy was submitted to Ministers on 28 April 1994. The proposals are currently being considered in detail, and Ministers expect to be in a position to make a public announcement on the proposals in the summer.

Royal Scottish National Hospital

Mr. Kynoch: To ask the Secretary of State for Scotland if he will announce his decision on the proposed merger of the Royal Scottish national hospital and community NHS trust and the Forth Valley health care unit; and if he will make a statement.

Mr. Lang: The public consultation on the proposed merger of the Royal Scottish national hospital and community NHS trust and the Forth Valley health care unit to form the Central Scotland Healthcare NHS trust was carried out by Forth Valley health board and a report was submitted to me in April. The report indicated broad support for the proposals.

As with all trust applications, the merger proposal has been considered against the published criteria of benefits for patients, management competence, the involvement of clinicians and other health care professionals in management and financial viability.

The proposed trust arrangements meet these criteria and consequently I have decided to give my approval to the merger proposal. The new trust will come into operation on 1 October 1994.

Furthermore, I am pleased to announce that Mr. Adrian Ward MBE, chairman of the Royal Scottish national hospital and community NHS trust, has accepted my invitation to serve as chairman of the new trust. The names of the other non-executive directors will be announced later.

Environmentally Sensitive Areas

Mr. Wallace: To ask the Secretary of State for Scotland if he will give the allocated budget, and the actual expenditure, for the environmentally sensitive area schemes in *(a)* the Machair of the Uists, *(b)* Breadalbane and *(c)* Loch Lomond in each financial year since 1989.

Mr. Lang *[holding answer 19 May 1994]:* The expenditure information required is set out in the table.

	1989-90 £	*1990-91* £	*1991-92* £	*1992-93* £	[1]*1993-94* £
Machair of the Uists	124,754	159,897	189,925	222,420	215,127
Breadalbane	202,437	233,698	270,699	219,707	154,109
Loch Lomond	43,180	71,706	100,437	77,805	76,751

[1] Provisional.

Individual ESAs are not given an allocated budget. Expenditure is contained within the overall ESA scheme provision.

Forestry

Mr. Llwyd: To ask the Secretary of State for Scotland what consideration has been given to imposing a requirement for environmental impact assessment when planning permission for forestry plantation is considered; and if he will make a statement.

Sir Hector Monro *[holding answer 18 May 1994]:* Under the Environmental Assessment (Afforestation) Regulations—SI No. 1207—introduced in 1988, environmental assessment is required where an afforestation project is likely to have significant effects on the environment and may lead to adverse ecological changes.

Hospital Trusts

Mr. Worthington: To ask the Secretary of State for Scotland what advice he has given to NHS trusts on *(a)* the kinds of information which they may deny to hon. Members and *(b)* the activities of a hospital trust that may be considered commercially confidential.

Mr. Stewart *[holding answer 20 May 1994]:* There has been no advice to NHS trusts to deny any information to hon. Members but trusts are required to respect the right to patient confidentiality. Circular MEL(1993)38 issued on 25 March 1993 sets out the ground rules for access to information and openness in contracting. Trusts have been encouraged to adopt an open approach. A copy of the circular has been placed in the Library of the House.

Barkers Scotland Ltd.

Mr. Worthington: To ask the Secretary of State for Scotland what was the cost of the market research being carried out by Barkers Scotland Ltd. on behalf of the Scottish Office; and what was its purpose.

Mr. Lang *[holding answer 20 May 1994]:* To ensure that it was written in a style which would be readily understood by all householders, Market Research Scotland Ltd. carried out pre-publication market testing of the leaflet, published last week, setting out council water charges and the cost of sewerage in each regional and islands council area. The work was commissioned for the Scottish Office through Barkers Scotland Ltd. at a cost of £1,000.

Prison Deaths

Mr. Worthington: To ask the Secretary of State for Scotland if he will list all the self-inflicted deaths that have occurred in Scottish prison establishments over the past 10 years, giving details of the name, age, status, offence and inquest verdict of each of the deceased and the name of the prisons in which the deaths occurred.

Lord James Douglas-Hamilton *[pursuant to his reply, 5 May 1994 c. 620]:* The chief executive of the Scottish Prison Service, Mr. E. W. Frizzell, has written further to the hon. Member.

Letter from E. W. Frizzell to Mr. Tony Worthington, dated 23 May 1994:

I wrote to you on 5 May in response to your Question about self-inflicted deaths in Scottish penal establishments and undertook to forward details of the prisoners' offence or alleged offence. These are now included in the table below which, for ease of reference, also repeats the information given in my earlier letter and takes the opportunity to correct one minor mistake which appeared there, for which I apologise.

Date	*Name*	*Age*	*Establishment*	*Sentence or remand*	*Determination*
1983					
16 January 1983 Assault with intent to rape Breach of peace	John Leinsler Stewart	34	Peterhead	6 years	Overdose
14 February 1983 Assault to severe injury and permanent disfigurement Attempting to pervert the course of justice	William McGlinchey	20	Longriggend	Remand	Cell fire, asphyxiation
15 April 1983 Assault to severe injury and permanent disfigurement Assault, Contravention of Bail Act	Edward Witts Graham	23	Barlinnie	Remand	Hanging
6 July 1983 Murder	John Beagan	51	Edinburgh	Life	Hanging
14 August 1983 Contravention of Road Traffic Act Culpable and Reckless driving Assault to injury	Robert King	18	Glenochil YOI	3 years	Hanging
28 August 1983 Theft by housebreaking and opening a lockfast place Reset, Contravention of Misuse of Drugs Act × 2, Uttering	Thomas Mochar	26	Barlinnie	20 months	Hanging
1984					
16 January 1984 Murder	Hugh Morrow	35	Barlinnie	Remand	Hanging
16 February 1984 Theft, Assault × 2	William McDonald	16	Glenochil DC	Remand	Hanging
2 March 1984 Breach of Peace	Joseph Kerr	39	Barlinnie	Remand	Hanging
27 September 1984 Robbery	Martyn Liston	27	Edinburgh	Remand	Hanging
15 November 1984 Contravention of Civic Government (Scotland) Act 1972 Section 50(1)	Arthur Padden	48	Barlinnie	Remand	Inhalation of toxic fumes in cell fire
1985					
26 January 1985 Breach of Peace	Kenneth Peter Isherwood	47	Perth	Remand	Hanging
18 February 1985 Breach of Peace × 2 Police Assault × 2 Contravention of Criminal Justice Act Contravention of Civic Government Act	Angus Stewart Boyd	17	Glenochil DC	3 months	Hanging
24 February 1985 3 × Lewd and Libidinous Practices	Robert Kelly	38	Barlinnie	Remand	Hanging
13 April 1985 Vandalism, Breach of Peace, Theft by opening a lockfast place Contravention Road Traffic Act	Derek John Richard Harris	16	Glenochil YOI	3 months	Hanging
2 June 1985 Assault and Robbery	John Stanley Buchanan	25	Barlinnie	6 years	Hanging
20 June 1985 Assault and Robbery	John Joseph Sinclair	33	Barlinnie	5 years	Hanging
1986					
16 February 1986 Assault, Contravention of Bail Act (Scotland)	William Myles Moorehouse	25	Perth	5 years	Jumping
24 March 1986 2 × Assault and Robbery Contravention of Bail Act (Scotland)	Frank Lee	18	Edinburgh	Remand	Hanging
22 April 1986 Assault to severe injury and danger of life	Jack Blake	55	Barlinnie	Life	Jumping

Date	*Name*	*Age*	*Establishment*	*Sentence or remand*	*Determination*
11 June 1986 Breach of Peace Contravention of Police (Scotland) Act × 5	Jean Margaret McLean	27	Cornton Vale	Remand	Hanging
16 June 1986 Theft by housebreaking × 2 Housebreaking with intent × 12 Attempted housebreaking with intent × 5	Christopher Phillips	27	Barlinnie	18 months	Hanging
6 July 1986 Assault and Robbery × 6 Theft and housebreaking × 3 Assault and Attempted Robbery	John Hendry Swindle	22	Perth	3 years	Hanging
21 August 1986 Breach of the Peace	Jarvis Torrance	50	Barlinnie	Remand	Hanging
1987					
3 June 1987 Abduction with assault and robbery Assault, theft by opening lockfast place	Peter Barnes	26	Edinburgh	Remand	Hanging
1 August 1987 Assault	Terence Bryce	29	Barlinnie	6 months	Hanging
30 October 1987 Assault and Robbery Contravention of Bail Act (Scotland)	Gerald Stafford	31	Barlinnie	Remand	Hanging
31 October 1987 Theft of Motor Vehicle, Contravention of Road Traffic Act 1972	Thomas William Kerr	17	Dumfries	Remand	Hanging
5 November 1987 Murder	John William Dwyer	34	Glenochil	Life	Hanging
28 December 1987 Assault to severe injury and permanent disfigurement	Kenneth Alexander Heron	21	Glenochil	4 years	Inhalation of vomit, asphyxia and solvent abuse
28 December 1987 Theft of Motor Vehicle, Contravention of Road Traffic Act, Assault and Robbery	Anthony Boyle	23	Barlinnie	Remand	Hanging
1988					
30 January 1988 Attempted housebreaking with intent Contravention of Bail (Scotland) Act	Hugh McGarvie	26	Barlinnie	3 months + 3 months c/c	Hanging
3 March 1988 Theft, Contravention of Bail (Scotland) Act To be detained on rape warrant thereafter	Alexander Nicol	29	Barlinnie	3 months	Hanging
27 March 1988 Murder	George Smart	49	Barlinnie	Remand	Hanging
5 June 1988 Culpable Homicide	Ian Barrie Connor	25	Barlinnie	Remand	Hanging
14 June 1988 Lewd and indecent behaviour × 2	Gordon McRae	27	Glenochil	3 years	Hanging
1 July 1988 Murder	Alan McGavin	24	Barlinnie	Life	Hanging
13 August 1988 Assault, Contravention Criminal Justice Act × 2 Contravention of Bail (Scotland) Act	John McLean	30	Barlinnie	Remand	Hanging
1989					
7 February 1989 Hamesuckin, rape and robbery Contravention of Bail (Scotland) Act	George Ferguson	39	Barlinnie	Remand	Self-inflicted wounds to left arm
5 March 1989 Murder, Assault to Severe Injury and Permanent Disfigurement	Martin McRae	31	Shotts	Life	Hanging

Date	Name	Age	Establishment	Sentence or remand	Determination
4 June 1989 Lewd and Libidinous behaviour × 3	James Welsh	59	Aberdeen	Remand	Hanging
14 July 1989 Misuse of Drugs Act	Derek Wood	26	Perth	9 years	Hanging
26 July 1989 Assault and Robbery	Philip McVeigh	22	Shotts	2 years	Hanging
3 December 1989 Theft by Housebreaking and opening a lockfast place	William Diffin	18	Polmont	3 months	Hanging
1990					
9 June 1990 Attempted Housebreaking with intent Theft, Theft by Housebreaking	Edward Ronald	30	Barlinnie	Remand	Hanging
31 July 1990 Murder, Misuse of Drugs Act	Robert Wilson Campbell	39	Barlinnie	Life	Hanging
26 September 1990 Misuse of Drugs Act, Theft, Contravention of Bail (Scotland) Act	Archibald McCallum	25	Barlinnie	Remand	Self strangulation
1991					
3 January 1991 Contravention of Firearms Act	Raymond Langlands	34	Perth	2 years	Hanging
25 January 1991 Theft by housebreaking, Contravention of Bail (Scotland) Act	Thomas McDougall	27	Greenock	3 months	Hanging
28 July 1991 Theft, Contravention of Bail (Scotland) Act	Thomas Hutchison	32	Barlinnie	60 days	Hanging
23 September 1991 Theft of Motor Vehicle, Contravention of Road Traffic Act	Ernest M. S. Craig	19	Longriggend	Remand	Hanging
1992					
11 February 1992 Housebreaking and Malicious Damage Breach of Peace Contravention of Bail (Scotland) Act (Outstanding Rape Warrant)	Steven Greig	19	Polmont	Remand	Hanging
27 February 1992 Breach of Peace Contravention of Bail (Scotland) Act (Outstanding charges of assault to severe injury and attempted murder)	John Galbraith	31	Barlinnie	30 days	Hanging
22 March 1992 Contravention of Road Traffic Act Contravention of Bail (Scotland) Act Theft of Motor Vehicle	Peter Nichol Goldie	19	Polmont	5 months, 4 months, 3 months c/c	Hanging
15 June 1992 Indecent Assault	Richard Simon Lowe	26	Edinburgh	3 years	Hanging
9 July 1992 Assault and Robbery Contravention of Firearms Act 1968	Syrup Metha Ullah	37	Edinburgh	5 years + 5 years c/c	Hanging
25 August 1992 Assault, Murder, Attempting to pervert the course of justice	Philip Goulding	31	Dumfries	Remand	Hanging
3 September 1992 Assault and Robbery × 2 Contravention of Firearms Act	William McLeod	28	Edinburgh	Remand	Hanging
18 October 1992 Theft, Contravention of Bail (Scotland) Act × 2	Anthony Shivers	25	Barlinnie	Remand	Hanging
2 November 1992 Rape	John Sime	45	Edinburgh	Remand	Hanging

Date	*Name*	*Age*	*Establishment*	*Sentence or remand*	*Determination*
1993					
13 January 1993 Contravention of Explosive Substances Act Contravention of Bail (Scotland) Act	Stewart Sawyers	23	Greenock	Remand	Hanging
7 April 1993 Murder	Robert Greer	28	Perth	Life	Hanging
22 August 1993 Murder	George Fleming	45	Edinburgh	Remand	Jumping
20 September 1993 Assault to Injury × 3, Assault to Severe Injury, Assault and Robbery Contravention of Criminal Justice Act × 5	Thomas Lafferty	21	Polmont	5 years	Hanging
17 December 1993 Assault, Assault and Robbery Contravention of Criminal Justice Act Theft, Breach of Peace × 2	Gary McGonigle	23	Barlinnie	Remand	Hanging

c/c = Concurrent sentence.

HEALTH

Deprived Areas

Ms Primarolo: To ask the Secretary of State for Health which are the top 10 deprived areas in England; and which are the top 10 areas with *(a)* the highest birth rates and *(b)* the greatest numbers of new cases of TB every year.

Mr. Sackville: The 10 highest scoring district health authorities in England using the Department of the Environment's index of local conditions, applied to district health authority boundaries as they were on 1 April 1992, were:

Highest scoring DHAs using DoE Index of Local Conditions

Newham (highest)
Lewisham and North Southwark
City and Hackney
Tower Hamlets
Camberwell
Bloomsbury and Islington
West Lambeth
Parkside
Waltham Forest
Haringey

Note: This table uses 1991 census data.

Source: Department of Health.

The ten DHAs with the highest birth rates[1] in 1991 were:

District health authorities

East Birmingham
Newham
North Manchester
West Birmingham
Tower Hamlets
Bradford
Burnley, Pendle and Rossendale
Blackburn, Hyndburn and Ribble Valley
City and Hackney
Rochdale

[1] This ranking has been constructed using the total period fertility rate (TPFR) which is derived by summing the fertility rates for a given year (live births per woman) by five-year age-groups up to the age of which the childbearing lifespan of women is effectively finished, taken to be age 50. Hence it is a summary measure of the overall level of the year's age-specific fertility rates. The TPFR indicates the average number of children which would be born per woman if a group of women were to experience the age-specific fertility rates of the calendar year in question throughout their childbearing lives.

Source: OPCS Fertility Statistics Unit.

The 10 family health services authorities with the highest recorded number of new cases of tuberculosis in 1991—this information is not available by district health authority—were:

Birmingham
Brent and Harrow
Bradford
Lambeth, Southwark and Lewisham
Leicestershire
Ealing, Hammersmith and Hounslow
Lancashire
City and East London
Kensington, Chelsea and Westminster
Enfield and Haringey[1]
Redbridge and Waltham Forest[1]

[1] Joint tenth.

Source: OPCS Communicable Diseases HMSO Series MB2 1993.

Nurses

Ms Primarolo: To ask the Secretary of State for Health what representations she has received about the career prospects of nurses from ethnic minorities; and if she will commission a survey.

Mr. Sackville: None. The Department has commissioned the Policy Studies Institute to undertake a study on the careers of nursing staff in a multiracial society. It is expected that the findings will be published in late 1994.

Mental Health

Mr. Blunkett: To ask the Secretary of State for Health what was the total number of working days lost through problems of mental health in 1993-94; and what is the estimated total cost of that absence from work.

Mr. Bowis: I refer the hon. Member to the reply that I gave him on 4 November 1993 at cols. *453-54.*

Ms Jowell: To ask the Secretary of State for Health what is the level of per capita spending on mental health care provided by hospital and community trusts for residents of *(a)* London, *(b)* Cornwall, *(c)* Hertford, *(d)* Leeds, *(e)* Newcastle, *(f)* Liverpool and *(g)* East Sussex.

Mr. Bowis: Information on expenditure by national health service trusts on a per capita basis cannot be provided as trusts do not provide services for fixed populations.

Colorectal Cancer

Mr. Sheerman: To ask the Secretary of State for Health what reasons underlay the decision not to refer to deaths caused by colorectal cancer in her paper the "The Health of the Nation"; and how many deaths occurred in each of the last five years from this form of cancer.

Mr. Sackville: The Government's objective is a reduction in mortality and morbidity caused by all cancers. Although colorectal cancer is a major cause of premature death or avoidable ill health, it has not—unlike breast, cervical, skin and lung cancer—been possible to identify a procedure which is both effective and measurable. The value of effective screening for colorectal cancer is therefore still uncertain, although the potential of such a programme remains under review.

Deaths occurring in England and Wales from malignant neoplasma of the colon and rectum are shown in the table:

	Colon	*Rectum, Rectosigmoid Junction and Anus*
1988	11,494	5,756
1989	11,626	5,756
1990	11,527	5,696
1991	11,386	5,685
1992	11,781	5,622

Dentists

Mr. Redmond: To ask the Secretary of State for Health how many dentists have given written notice to have their names removed from dental lists since December 1992.

Dr. Mawhinney: The total number of dentists who have given written notice to have their names removed from dental lists between 27 November 1992 and 13 May 1994 is 212. Four hundred and ten dentists were added to the lists in the period 31 December 1992 to 31 December 1993.

Mr. Redmond: To ask the Secretary of State for Health how many patients have contacted each family health services authority asking for help in finding a dentist in the period since December 1992.

Dr. Mawhinney: The information will be placed in the Library.

Elderly People (Treatment)

Ms Jowell: To ask the Secretary of State for Health (1) whether she will conduct a review of health authorities' purchasing policies to identify the extent to which elderly people are being excluded from certain treatment on grounds of their age;

(2) what action she intends to take to establish whether health authorities are issuing contracts which exclude people from treatment on grounds of their age.

Dr. Mawhinney: There is no need to conduct such a review. The National Health Service Executive, through its monitoring of district health authorities' purchasing plans and its corporate contracts with regional health authorities, already reviews and monitors annually the purchasing intentions of DHAs and general practitioner fundholders.

Recorded Diseases, London

Ms Jowell: To ask the Secretary of State for Health how many cases of *(a)* rickets, *(b)* scurvy, *(c)* tuberculosis, *(d)* diphtheria and *(e)* dysentery were recorded in inner London for 1979, 1985 and each year since.

Mr. Sackville: Notifications of tuberculosis, diphtheria and dysentery are shown in the table.

There is no reliable source of data on rickets and scurvy.

Notifications of selected infectious diseases in Inner London 1979, 1985-1992

Inner London	*1979*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*
All tuberculosis	1,203	887	810	717	751	831	879	922	1,024
Diphtheria	0	1	0	1	0	2	1	1	1
Dysentery	195	388	234	257	241	258	229	225	335

Source: Office of Population, Censuses and Surveys.

Cancer Treatment Costs

Ms Jowell: To ask the Secretary of State for Health what is the cost of medical oncology, with radiotherapy costs identified separately, per out-patient day case and in-patient episode for patients attending *(a)* St. Bartholomew's, *(b)* University College London, *(c)* Guy's, *(d)* the Royal Marsden, *(e)* Queen Elizabeth Hospital, Welwyn, *(f)* Royal Sussex, *(g)* Addenbrookes and *(h)* John Radcliffe.

Mr. Sackville: The available information is shown in the table. It is not possible to separate out radiotherapy costs from medical oncology.

Costing information for Medical Oncology in 1992-93

	Cost per Finished Consultant Episode for patients using a bed £	*Cost per out-patient attendance* £
Barts Group of Hospitals Directly Managed Unit (including St. Bartholomews)	1,025·55	154·86
Bloomsbury and Islington Acute Directly Managed Unit (including University College Hospital)	1,221·11	n/a
Guys and Lewisham NHS Trust (including Guys)	1,640·01	123·10
Royal Marsden Special Health Authority	2,005·39	144·86

	Cost per Finished Consultant Episode for patients using a bed £	*Cost per out-patient attendance* £
East Herts NHS Trust (including Queen Elizabeth Hospital)	see note 3	
Brighton Healthcare Directly Managed Unit (including Royal Sussex Hospital)	n/a	n/a
Addenbrooke's Hospital Directly Managed Unit (including Addenbrooke's Hospital)	n/a	n/a
John Radcliffe Hospital Directly Managed Unit (including John Radcliffe Hospital)	n/a	n/a

Source: Annual financial returns of health authorities and NHS trusts.

Notes:

1. All figures are provisional.

2. n/a = the hospital does not record any expenditure associated with this particular specialty.

3. East Herts NHS trust (including Queen Elizabeth hospital) does not have a comparable medical oncology service with the other named hospitals.

Primary Care (Spending)

Ms Jowell: To ask the Secretary of State for Health what is the per capita spending on primary care for residents of *(a)* London, *(b)* Cambridge, *(c)* Hertford, *(d)* Brighton, *(e)* Stevenage, *(f)* Gloucester, *(g)* Cheltenham, *(h)* Durham and *(i)* Truro.

Dr. Mawhinney: Information is not collected in the form requested.

Hospital Waiting Lists

Ms Jowell: To ask the Secretary of State for Health what is the average length of time on the waiting list for *(a)* hysterectomy, *(b)* heart by-pass and *(c)* hip replacement, for patients living in (i) Bloomsbury and Islington, (ii) Redbridge and Waltham Forest, (iii) south-east London, (iv) Hertford, (v) Cambridge, (vi) Manchester, (vii) north Cornwall, (viii) Brighton, (ix) Eastbourne and (x) Leeds.

Dr. Mawhinney: Information on waiting times is collected by specialty, district health authority and national health service trust. This information is given in "Hospital Waiting List Statistics: England", copies of which are available in the Library. Since 1988 the overall average waiting time has fallen from over nine months to less than five.

Purchasing Authorities

Ms Jowell: To ask the Secretary of State for Health whether she will intervene in the decisions of purchasing authorities to ensure that all residents of those areas are guaranteed the elective or emergency treatment that they need.

Mr. Sackville: It is the responsibility of health authorities to assess the health care needs of their local population.

Bed Availability

Ms Jowell: To ask the Secretary of State for Health (1) how many acute beds were available per head of the population for residents of *(a)* Newcastle, *(b)* Birmingham, *(c)* Manchester, *(d)* Leeds, *(e)* Liverpool and *(f)* London for 1985 and each year since 1989;

(2) how many NHS continuing care beds were available per head of the population for residents of *(a)* Newcastle, *(b)* Birmingham, *(c)* Manchester, *(d)* Leeds, *(e)* Liverpool and *(f)* London for 1985, 1987 and each year since 1989;

(3) how many registered nursing home beds were available per head of the population for residents of *(a)* Newcastle, *(b)* Birmingham, *(c)* Manchester, *(d)* Leeds, *(e)* Liverpool and *(f)* London for 1985, 1987 and each year since 1989.

Mr. Sackville: The information is not available in the form requested.

Adoptions

Ms Jowell: To ask the Secretary of State for Health what steps she intends to take to ensure that both adoptive parents and young people who have been the subjects of trans-racial adoptions are consulted as part of the consultations on her White Paper on the future of adoption.

Mr. Bowis: The White Paper "Adoption: The Future" is not a consultation document but contains the Government proposals for reforming adoption law. Publication of the White Paper followed four years work of reviewing adoption law by an inter-departmental working group during which time several consultative documents were issued.

Views on the Government's plans from parents who have adopted children from ethnic minority cultures, as well as the young people themselves, have been made known to the Department through responses received from local authority social services, voluntary adoption agencies and adoption support groups as well as individual correspondents.

In formulating the adoption proposals, the Government have taken account of the responses to the various consultation documents as well as the latest research, thinking and practice on a variety of adoption issues.

GP Fundholders, London

Ms Jowell: To ask the Secretary of State for Health how many general practitioner fundholders are practising in inner London; and what proportion they represent of all general practitioners in London.

Dr. Mawhinney: There are 278 general practitioner fundholders practising in inner London representing 17 per cent. of all general practitioners in that area.

Inequalities and Health

Mr. Alfred Morris: To ask the Secretary of State for Health what input other Government Departments will have into the new working party on inequalities and health; and if he will make a statement.

Mr. Sackville: The recently established sub-group of the Chief Medical Officer's "Health of the Nation" working group will be looking at variations in health. The sub-group's terms of reference focus on the provision of practical advice to the Department of Health and the national health service but other Government Departments are being kept informed of its work.

Nurse Prescribing

Ms Jowell: To ask the Secretary of State for Health when she will approve the introduction of nurse prescribing to general practitioners' practices which are not fundholders.

Dr. Mawhinney: The extension of nurse prescribing to non-fundholding practices will be considered in the light of experience gained from the eight demonstration projects which are to be introduced in October.

Research Allocation

Ms Jowell: To ask the Secretary of State for Health when she will publish the report on the calculation of the special increment for teaching and research which was commissioned in 1993 by her Department to inform resource allocation.

Dr. Mawhinney: In due course.

London Hospitals

Ms Jowell: To ask the Secretary of State for Health which London hospitals were fined by their purchasers for failing to meet contract specifications for elective treatments in each year since 1991; and what was the amount of the fine in each case.

Dr. Mawhinney: Contracts that purchasers have with hospitals may contain clauses which enable financial penalties to be imposed in the event of contract specifications not being met. These contracts are agreed locally and any resulting penalties are not monitored by the national health service executive.

The hon. Member may wish to write to the chairmen of the relevant health authorities for details.

Mouth Cancer

Ms Primarolo: To ask the Secretary of State for Health what assessment her Department has made of links between smoking tobacco and the incidence of mouth cancer.

Mr. Sackville: Available research shows that an increased risk of cancer of the mouth, relative to that in non-smokers, has been found among tobacco smokers. The risk is of similar magnitude for cigarette, cigar and pipe smokers.

Ms Primarolo: To ask the Secretary of State for Health what percentage of the notified cases of mouth cancer were discovered during routine dental check-ups in each of the last five years.

Mr. Sackville: The origin of the diagnosis of oral cancer is not routinely recorded.

Ms Primarolo: To ask the Secretary of State for Health what materials her Department has produced or funded to educate people on the dangers of mouth cancer.

Mr. Sackville: Smoking and excessive alcohol consumption, the main known risks factors for mouth cancer, are addressed through a variety of material produced by the Health Education Authority and others.

Health Workers (Redundancies)

Ms Primarolo: To ask the Secretary of State for Health, pursuant to her answer of 15 April, *Official Report*, column *318*, what are the total numbers of redundancies in inner London hospitals since April 1993 by each hospital; and if she will categorise redundancies under the headings *(a)* ancillary, *(b)* nursing, *(c)* doctors, *(d)* consultants and *(e)* managers.

Dr. Mawhinney: The previous reply covered only those hospitals in receipt of transitional funding. Information on redundancies across all inner London hospitals is not available centrally.

Operational Mergers

Mr. Blunkett: To ask the Secretary of State for Health how many operational mergers currently exist between district health authorities and family health services authorities in England; and if she will list those authorities operating on such a basis.

Dr. Mawhinney: None.

Performance Tables

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 20 April, *Official Report*, column *545*, what were the initial non-recurring set up costs for the NHS performance tables.

Dr. Mawhinney: I refer the hon. Member to the reply that I gave him on 20 April, *Official Report*, column *545*.

Continuing Care

Mr. David Young: To ask the Secretary of State for Health, pursuant to her answer of 16 May, *Official Report*, column *323*, if it is her policy that in all cases payment rests on public funds when a patient is discharged from hospital because of a lack of long-stay beds and is still in need of continuing care in a nursing home.

Mr. Bowis: Arrangements for continuing care will depend on the assessed needs of the individual.

NHS Trusts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 16 May, *Official Report*, columns *317-18*, if she will list the trusts and the amounts involved where approval has been given for trusts to invest in *(a)* United Kingdom public sector institutions, *(b)* banks and *(c)* building societies.

Mr. Sackville: The approval referred to previously is a general approval as to the institutions in which trusts may invest surplus cash. Individual trusts do not require specific approval for their investment arrangements unless they wish to invest surplus cash other than in an approved institution. No trust has applied to use a non-approved institution. Trusts are not required to notify my right hon. Friend the Secretary of State or the national health service executive the details of their investing activities, as the amounts involved will vary in the normal course of business and are in any event subject to independent audit.

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 17 May *Official Report*, column *417*, which trusts have been investigated by the NHS executive for *(a)* merger and *(b)* dissolution.

Mr. Sackville: The circumstances of each trust that materially failed to meet a financial duty in 1993-94 have been reviewed by the national health service executive to ensure that they take appropriate action in the current year. In the case of two trusts, the Royal Liverpool University hospital NHS trust and Broadgreen Hospital NHS trust, their plans include a proposal to dissolve themselves and form a new trust to run the facilities that are managed separately by them at present. As a result, my right hon. Friend the Secretary of State has given permission to North West regional health authority to consult on this proposal. Consultation, which lasts for three months, commenced on 16 May 1994.

Mr. Blunkett: To ask the Secretary of State for Health if she will place in the Library copies of reports received from practice counsellors in general pratitioner fundholding practices, indicating how they intend to achieve the "The Health of the Nation" targets.

Dr. Mawhinney: Such information is not available centrally.

WALES

Care and Repair Cymru

Mr. Ron Davies: To ask the Secretary of State for Wales when he expects to announce the funding allocations to care and repair schemes in Wales, and Care and Repair Cymru for 1994-95; and if he will make a statement.

Mr. Redwood: An offer of grant for the first quarter of 1994-95 has been made both to individual schemes and to Care and Repair Cymru. Decisions on the remainder of the year will follow shortly.

Mr. Ron Davies: To ask the Secretary of State for Wales when his Department's review of care and repair in Wales is expected to be completed; when the review is completed; and what plans he has to publish the results and arrange for consultation on the review's proposals.

Mr. Redwood: I expect the review of central funding to care and repair schemes to be completed shortly. My officials will then discuss the future funding of the care and repair movement with Care and Repair Cymru.

Welsh Development Agency

Mr. Jon Owen Jones: To ask the Secretary of State for Wales when the Welsh Office received an answer from the Welsh Development Agency following its letter to the agency on 25 November 1991 concerning the case of Mr. Price.

Mr. Redwood: On 27 November 1991.

Mr. Jon Owen Jones: To ask the Secretary of State for Wales, pursuant to his answer of 12 May, *Official Report*, column *205*, whether the Welsh Office made any communication with the Welsh Development Agency between 25 November 1991 and 19 February 1992 concerning the redundancy of Mr. Price.

Mr. Redwood: No.

Energy Efficiency

Mr. Ron Davies: To ask the Secretary of State for Wales how much the Welsh Office has made available in supplementary credit approvals for energy efficiency in local authority administrative buildings in Wales to encourage a 15 per cent. reduction in energy consumption in each year the scheme has been available.

Mr. Redwood *[holding answer Friday 20 May 1994]:* No supplementary credit approvals have been made specifically for energy efficiency for local authority administrative buildings in Wales. In 1993-94, 79 projects took place in Wales under the "other environmental services" budget.

SOCIAL SECURITY

Integrated Benefit Information System

Mr. Pike: To ask the Secretary of State for Social Security (1) if he will publish a report on the progress of the integrated benefit information system; when the transition to the new integrated benefit information system will take place; and if he will make a statement;

(2) what is the estimated cost of introducing the integrated benefit information system computer system into all agencies.

Mr. Burt: In September 1993, my right hon. Friend, the Secretary of State announced the introduction of a one-stop service to Benefits Agency offices and that as part of that service, a new computer system, the integrated benefit information system—IBIS—would be available by July 1994.

The IBIS is now available to all Benefits Agency offices. Offices are starting to use it alongside existing systems and other initiatives to support their transition to the business goals of one stop. There are, however, no plans to publish a report on its progress.

Each agency has a different business focus so it would not be appropriate to introduce the same computer system to them all. The IBIS was designed specifically for the Benefits Agency; however, other agencies are considering using the IBIS concept to deliver systems that will generate greater efficiencies in their own business. Detailed proposals and costings are not currently available.

Income Support

Mr. Pike: To ask the Secretary of State for Social Security what are the latest figures available for people claiming income support *(a)* by gender, *(b)* by region, *(c)* by marital status, *(d)* with dependants and *(e)* in total.

Mr. Burt: The available information is in the table.

Income support recipients

Type of recipient	*Number (thousands)*
Gender	
Male	2,770
Female	3,001
Region	
North Eastern	839
London North	1,018
South Western	411
Wales	312
Midlands	912
North Western	812
Scotland	553
London South	915
Living with a Partner	
Single	4,759
With partner	1,012
Dependants	
With dependants	1,658
No dependants	4,113
Total claimants	5,771

Notes:

1. *Source:* Income Support Statistics Quarterly Enquiry, August 1993.
2. Figures have been rounded to the nearest thousand and may not sum to the total given.
3. Regions are the Social Security Administrative Regions used by the Department prior to 1988.
4. Marital status information from Quarterly Enquiries is limited to whether the recipient is single or living with a partner.
5. Dependants are defined as young people under the age of 19 still living in the parental home.

Widowed Fathers

Mr. Wigley: To ask the Secretary of State for Social Security whether he will review the working of existing legislation to ensure that widowed fathers and their children are treated equally in social security law with widowed mothers; and if he will make a statement.

Mr. Hague: We have no plans to extend the current widowed mother's benefit provisions to widowed fathers.

Consultants

Ms Primarolo: To ask the Secretary of State for Social Security what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. Hague: The information is not available in the form requested.

Independent Living Fund

Mr. Bradley: To ask the Secretary of State for Social Security (1) what plans there are to introduce a standard method by which local authorities can determine equitable hourly rates for care costs for independent living 1993 fund claimants, and if he will make a statement;

(2) what training is received by staff working in local authority social services departments for assessing the eligibility of independent living 1993 fund claimants to personal assistance packages; and if he will make a statement.

Mr. Scott: It is for local authorities to develop adequate training for their staff, and accurate methods for costing services. I understand that the director of the independent living 1993 fund continues to discuss with the Association of Directors of Social Services and others further ways in which they can be helped to do so.

Mr. Bradley: To ask the Secretary of State for Social Security how many applications to the independent living 1993 fund have been turned down as a result of the failure of a local authority to provide the required £200 worth of services a week.

Mr. Scott: I am informed by the director of the Independent Living (1993) Fund that, in the first full year of operation, 105 applications were rejected for this reason.

Mobile Telephones

Mr. Vaz: To ask the Secretary of State for Social Security what was the cost of calls made on *(a)* car telephones and *(b)* portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. Hague: The information is not available in the form requested. The available information is in the table. Maintenance fees are not charged for this equipment.

1993-94 Costs	*Mobile Telephones*[1] *(including Car Telephones)* £
Benefits Agency	
Annual running costs (including pagers)[2]	625,738·94
Equipment	[3]—
Contributions Agency	
Annual running costs (including pagers)[2]	194,183·18
Equipment	36,574·50
Child Support Agency	
Annual running costs (including pagers)[2]	41,532·00
Equipment	82,553·30
Information Technology Services Agency	
Calls	60,868·54
Equipment	21,307·78
Quarterly line rental	161,122·50
DSS HQ (including Resettlement Agency)	
Calls	5,807·94
Equipment	4,628·80
Quarterly line rental	15,187·50
War Pensions Agency	
Annual running costs (including pagers)[2]	12,887
Equipment	12,875

Notes:

[1] The costs of car telephones and mobile telephones could be disaggregated only at disproportionate cost.

[2] The running costs of mobile telephones are included with those of pagers by some of the Agencies and could be disaggregated only at disproportionate cost.

[3] This information is not readily available and could be obtained only at disproportionate cost.

Benefits Payment Card

Mrs. Fyfe: To ask the Secretary of State for Social Security what consideration he has given to how long the owner of a benefits payment card which was incorrectly rejected by a machine reader would have to do without payment of benefit; and if he will make a statement.

Mr. Hague: This issue will be addressed as part of the detailed design of the proposed payment system. Appropriate back-up procedures will be incorporated into any system, to be activated in the event of mechanical or electronic failure.

National Council for One Parent Families

Mr. Spellar: To ask the Secretary of State for Social Security what grants have been made by his Department or its agencies to the National Council for One Parent Families in each year of the last five years.

Mr. Burt: Between 1991 and 31 March 1994 this Department provided £1 million to enable the National Council for One Parent Families to pilot return-to-work courses for lone parents and a consultancy action programme aimed at employers and other key organisations, which was designed to open up work opportunities for lone parents. In 1992 the child support unit—the forerunner to the Child Support Agency—paid about £4,000 to NaCOPF for expenses connected with a joint CSA/NaCOPF guide for lone parents who wished to return to work.

FOREIGN AND COMMONWEALTH AFFAIRS

Consultants

Ms Primarolo: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. Goodlad: The expenditure on management and financial consultants in 1992-93 is:

	£
Diplomatic Wing	268,759
Aid Wing	451,907

Note: this excludes management and financial consultancies awarded under the aid programme.

Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to investigate cases cited by Amnesty International where refugees from Iraq after the 1991 Gulf war were mistreated by the Saudi Arabian authorities.

Mr. Douglas Hogg: The United Nations Commissioner for Refugees has a permanent office in the refugee camp at Rafha and is studying the report. During her visit to Saudi Arabia in January 1993, the UN High Commissioner for Refugees, Mrs. Ogata, expressed her appreciation to the Saudi authorities for the high living standards that they have provided for the refugees.

Portable Telephones

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 6 May, *Official Report,* column *676,* what was the cost of calls made on *(a)* car and *(b)* portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. Goodlad: A full breakdown of the costs incurred by the Foreign and Commonwealth Office during 1993-94 in respect of car and portable telephones is as follows:

FCO (Diplomatic and Aid Wings)	*Financial year 1993-94* £
(a) Car	
—calls	1,500
—cost of service (air time)	2,076
(b) Portable telephones	
—calls	12,135
—cost of service (air time)	46,500
(c) Cost of new equipment (not hired)	6,077
(d) Maintenance costs	12,127
Total	80,415

Liberia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received, either directly or via the European Union or the United Nations, as to the selling of arms by peacekeeping forces in Liberia to the United Liberation Movement of Liberia for Democracy faction; and what representations he has made to the United Nations about the effect on the peacekeeping process.

Mr. Douglas Hogg: We have received no such reports.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of the mandate of the enhanced peacekeeping force in Rwanda; and when it is intended that the force will be in place.

Mr. Douglas Hogg: The Security Council resolution on Rwanda passed on 16 May—SCR 918—expands the mandate of the United Nations Aid Mission in Rwanda, as set out in SCR 912, to include the following tasks:

- (a) To contribute to the security and protection of displaced civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas;
- (b) To provide security and support for the distribution of relief supplies and humanitarian relief operations.

SCR 918 requests the Secretary-General to proceed immediately with the deployment of military observers currently stationed in Nairobi, and the strengthening of the United Nations mechanised battalion in Kigali to 800 personnel. The Secretary-General will report again soon to the Security Council on the next stage of deployment.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries have pledged troops and in what numbers for the United Nations peacekeeping force in Rwanda.

Mr. Douglas Hogg: Consultations continue between the United Nations and potential new troop contributors. No details have yet been confirmed.

The Secretary-General is due to report to the Security Council in the near future about, interalia, the resources available for the operation.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions are being taken to co-ordinate military and humanitarian activity following the United Nation's decision to increase its military presence in Rwanda.

Mr. Douglas Hogg: The special representative of the United Nations Secretary-General, working together with the Department of Peacekeeping Operations and the Department for Humanitarian Affairs in the United Nations secretariat, is responsible for ensuring effective co-ordination between United Nations military and humanitarian activity on the ground.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy in respect of each side in the conflict in Rwanda in the context of ending the bloodshed.

Mr. Lennox-Boyd: The main priority is for an end to the fighting and we continue to urge all parties to implement a ceasefire and end the bloodshed. We fully support the efforts of the United Nations and the Organisation for African Unity and regional leaders to bring the fighting to an end.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what forward planning he and the international community are making to prevent the spread of the Rwandan conflict into Burundi.

Mr. Lennox-Boyd: The international community is concerned that the Rwandan conflict should not spread into Burundi. A good offices and fact-finding mission has been deployed by the United Nations Security Council and OAU observers are also in place. Their aim is to assist the Government of Burundi to restore democratic institutions, rebuild confidence and stabilise the internal situation.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Rwanda about genocide.

Mr. Lennox-Boyd: No representations have been made to the Government of Rwanda about genocide. A special session of the United Nations Commission for Human Rights will shortly take place at which atrocities committed in Rwanda will be considered.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he will take to ensure that no British arms will be sold to the Rwandan Government.

Mr. Lennox-Boyd: On 16 May, the United Nations Security Council adopted resolution 918 which imposes a mandatory arms embargo on Rwanda. In the United Kingdom this will be administered by the export control organisation of the Department of Trade and Industry.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the French Government about the supply of arms to the Rwandan Government.

Mr. Lennox-Boyd: No representations have been made to the French Government about the supply of arms to the Rwandan Government. On 16 May, the United Nations Security Council adopted resolution 918 which imposes a mandatory arms embargo on Rwanda. All countries, including France, will be bound to comply with the terms of the embargo.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his analysis of the causes of the conflict in Rwanda and of which party is the main cause of deaths in that country.

Mr. Lennox-Boyd: Tutsi domination of Rwanda's political and economic life ended in 1959. Since then Rwanda has repeatedly been the scene of mass killings and the flight of large numbers of Tutsis and some Hutus to neighbouring countries. There have also been repeated attempts by Tutsis to come back to power, each attempt giving rise to renewed ethnic violence and hatred. Reports indicate that the worst atrocities in the current conflict appear to be occurring in areas then controlled by the interim Government of Rwanda.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made as to whether the Government of Rwanda is contravening the United Nations convention on the prevention and punishment of the crime of genocide; and what action he is proposing to take to activate article IV of the convention to punish genocide.

Mr. Lennox-Boyd: In its declaration of 16 May, the Foreign Affairs Council appealed to all parties to the conflict to bring an end to the genocide. The United Nations Security Council, in its resolution 918, asked the Secretary-General to report as soon as possible on the investigations of serious violations of international humanitarian law committed in Rwanda.

Iran

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government will take to use their seat at the United Nations Security Council to secure *(a)* an international arms embargo against the Government of Iran and *(b)* a boycott of Iranian goods.

Mr. Douglas Hogg: We have no current intention of seeking either measure. As a matter of declared national policy, the United Kingdom refuses to supply arms to Iran.

Palestine

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made about the adequacy of the mandate of the temporary international presence in Hebron; and what additional powers he will seek to safeguard the Palestinians.

Mr. Douglas Hogg: The mandate for the temporary international presence for Hebron was agreed by Israel and the Palestine Liberation Organisation. The agreement signed on 4 May on Israeli withdrawal from Gaza and Jericho includes provision for further observers in these areas. We and our European Union partners have offered to participate if requested by the parties.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what diplomatic presence the Government have or intend to have in Gaza and Jericho.

Mr. Douglas Hogg: These areas are covered by Her Majesty's consul general in Jerusalem who visits them regularly. In addition, the British Council maintains an office in the Gaza strip.

Sudan

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government will take to use their seat at the United Nations Security Council to secure an international fuel and arms embargo against the Government of Sudan.

Mr. Douglas Hogg: The imposition of mandatory measures against Sudan would require a determination by the Security Council that a threat existed to international peace and security. Such a determination has not been made.

The United Kingdom already implements an arms embargo against Sudan, which was imposed by the European Union in March.

China

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the number and functions of labour camps in China; and what representations he has made to the Chinese Government about the use of such camps.

Mr. Goodlad: We have no precise assessment of the number of labour camps. But the use of forced labour is an area of human rights abuse highlighted in the report produced by my right hon. and noble Friend Lord Howe after his visit to China in December 1992. We have regularly urged the Chinese authorities to take up my noble Friend's recommendations in this respect.

EC Development

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the position of Her Majesty's Government with regard to a possible governmental working group on EC development including a delegation from the European Parliament.

Mr. Heathcoat-Amory: The declaration issued at the informal meeting of the Foreign Affairs Council at Ioannina on 28 March provides for

> "a Reflection Group of Representatives of the Foreign Ministers, which should be created by the European Council in Corfu and start its work mid 1995. This Group will work in association with the European Parliament".

We support that declaration, to which my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs agreed.

Italy

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will initiate proposals for Italy to be suspended from the Council of Europe.

Mr. Heathcoat-Amory: No.

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs why the United Kingdom ambassador met members of the new Italian Government; and what was discussed.

Mr. Heathcoat-Amory: Her Majesty's ambassador in Rome has met representatives from all the political parties in the new Italian coalition Government to discuss with them both internal political developments and foreign affairs issues.

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs what views he conveyed over the inclusion of neo-fascists in the Italian cabinet when he met representatives of that Government.

Mr. Heathcoat-Amory: My right hon. Friend the Foreign Secretary met Signor Martino, his new Italian counterpart, in Brussels on 16 May. They had a wide-ranging discussion on foreign policy issues. They did not discuss individual appointments in the new Italian Government.

South Africa

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had regarding the timetable for admission of South Africa to the Commonwealth with *(a)* the Government of South Africa and *(b)* the Secretary-General of the Commonwealth.

Mr. Lennox-Boyd: At their conference in Cyprus last October, Heads of Commonwealth Governments agreed that

> "While it was for the new, democratically elected government in South Africa to decide on whether it should seek to return to the Commonwealth, Heads of Government looked forward to welcoming a non-racial and democratic South Africa back into the Commonwealth at the earliest possible opportunity".

President Mandela has stated his wish that South Africa return to the Commonwealth. As soon as a formal request seeking re-admission is made by the South African Government, the Commonwealth Secretary-General will inform member Governments.

EDUCATION

Consultants

Ms Primarolo: To ask the Secretary of State for Education what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. Forth: In [illegible] financial year 1992-93, the Department spent £1·997 million on management and financial consultants.

Grant-maintained Schools Foundation

Mr. Byers: To ask the Secretary of State for Education what level of grant aid the Grant-maintained Schools Foundation Ltd. will receive in 1994-95; and who has been appointed as finance director and accounting officer for the foundation.

Mr. Robin Squire: The Grant-maintained Schools Foundation Ltd. is currently in discussion with the Department about grant aid for 1994-95. I will write to the hon. Member when the total level of grant and associated financial responsibilities have been finalised.

Muslim Girls Community High School

Mr. Madden: To ask the Secretary of State for Education when he received an application seeking voluntary-aided status from the Bradford Muslim Girls community high school; whether he has received all the information he requires to enable him to reach a decision on the application; when he expects to announce his decision; and if he will make a statement.

Mr. Robin Squire: The Department received proposals seeking voluntary-aided status for the Bradford Muslim Girls community high school on 30 March. A two-month statutory objection period follows the publication of such proposals. Because of my right hon. Friend's role in these matters, it is not appropriate to comment on proposals which will come before him for decision. We shall make a decision as soon as is compatible with a full and careful consideration of the proposals.

ATTORNEY-GENERAL

Crown Prosecution Service

35. **Mr. Peter Atkinson:** To ask the Attorney-General what steps the Crown Prosecution Service is taking to improve charging practice.

The Attorney-General: The initial decision to charge is usually taken by the police. The Crown Prosecution Service and the police are together developing guidance to help officers to select the right charge at the outset.

37. **Mr. Ottaway:** To ask the Attorney-General if he will pay an official visit to the Crown Prosecution Service in Croydon to discuss its effectiveness.

The Solicitor-General: I have no plans to visit the Crown Prosecution Service in Croydon at present.

Mr. Heald: To ask the Attorney-General what steps the Crown Prosecution Service is taking to introduce team working.

The Solicitor-General: Historically, lawyers worked primarily in the magistrates courts. Pilot schemes to bring lawyers, law clerks, and support staff together in teams to handle all types of case in both the magistrates courts and the Crown courts are being set up in one branch of each Crown Prosecution Service area.

38. **Mr. Hawkins:** To ask the Attorney-General when he expects to announce the results of the revision of the code of conduct for crown prosecutors.

The Attorney-General: The Director of Public Prosecutions expects to publish the new code in the near future.

EMPLOYMENT

Workplace Deaths

Mr. Llew Smith: To ask the Secretary of State for Employment, pursuant to his answer to the hon. Member for Rother Valley (Mr. Barron) of 30 March, *Official Report*, column *813*, for what reason the information on the average length of time of investigation into workplace deaths is not available.

Mr. Michael Forsyth: The amount of time spent by inspectors investigating all accidents is recorded locally and principally used to monitor use of resources. It is not possible to isolate information on the use of resources solely used in the investigation of fatalities.

Consultants

Ms Primarolo: To ask the Secretary of State for Employment what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. Michael Forsyth: Information in the form requested could be provided only at disproportionate cost.

Construction Industry, London

Mr. Keen: To ask the Secretary of State for Employment what were the estimated number of people employed in the construction industry within London for each year since 1988; and what is his estimate for the current year.

Miss Widdecombe: The information is given in the table:

Employees in the construction industry-Greater London

	000s
1988	139
1989	137
1990	132
1991	120
1992	109
1993	100

Figures as at June of each year.

Mr. Keen: To ask the Secretary of State for Employment what studies his Department has initiated into the effects of a release of local authority capital receipts within the London area on levels of employment within the construction industry; and if he will publish their findings.

Mr. Michael Forsyth: The Department has not undertaken any such studies.

Disabled People (Fax Machines)

Ms Walley: To ask the Secretary of State for Employment how many fax machines are currently on loan to people with disability under the aids-to-employment scheme; what service arrangements exist for such equipment; and in what circumstances fax machines are *(a)* removed, *(b)* updated or *(c)* determined to be obsolete.

Mr. Michael Forsyth: Responsibility for the subject of the question has been delegated to the Employment Service under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Ms Joan Walley, dated 23 May 1994:

The Secretary of State has asked me to reply to your Question about the number of fax machines currently on loan to people with disabilities under the Special Aids to Employment scheme, (SAE) together with servicing arrangements, the circumstances of removal, updating and determining obsolescence.

The numbers that you have asked for are not held centrally for machines issued before October 1993.

Forty two fax machines were issued to clients under the SAE in the six months to April 1994, together with six fax card adaptations which allow receipt and transmission of faxes on personal computers.

During the same period, one fax machine previously issued required repair.

As owner of the aid, the ES is responsible for repairs, maintenance and servicing contracts are not taken out by the ES because of the costs involved and the low incidence of breakdown. Where equipment breaks down, a replacement may be issued as a temporary back-up whilst repair is effected.

Fax machines would normally only be removed if the client left employment or no longer required the equipment. Updating takes place when the need for more advanced equipment is identified.

Fax hardware and software have both remained stable platforms in the past two years, advance being made largely in terms of speed of fax transmission, which does not affect the ability of older machines to either send or receive messages. For this reason, it is generally accepted that older machines may be slower in transmission but are not regarded as obsolete.

I hope this is helpful.

Health and Safety Executive

Mr. David Marshall: To ask the Secretary of State for Employment if he will make a statement about the future of the Health and Safety Executive.

Mr. Michael Forsyth: Britain's health and safety record is among the best in the world. I look to the Health and Safety Executive to continue to play its part in improving that record.

Unemployment, Doncaster

Mr. Redmond: To ask the Secretary of State for Employment how many people in the Doncaster area between the ages of 18 and 25 years are currently unemployed.

Miss Widdecombe: In the Doncaster travel-to-work-area unadjusted claimant unemployment amongst 18-24 year olds—the closest available age group—stood at 3,981 in April 1994.

Barnsley-Doncaster Training and Enterprise Council

Mr. Redmond: To ask the Secretary of State for Employment when he last met small business representatives to discuss the working of Barnsley-Doncaster TEC; when is his next meeting; and if he will make a statement.

Miss Widdecombe: My right hon. Friend, the Secretary of State, regularly meets training and enterprise directors, many of whom represent small businesses. He also recently met the Federation of Small Businesses and the Forum of Private Business to discuss the work of TECs.

My right hon. Friend, the President of the Board of Trade, has overall responsibility for the Government's relations with business and has regular contact with its representative organisations.

Multiple Sclerosis

Mr. Llew Smith: To ask the Secretary of State for Employment what discussions he has had with the Secretaries of State for *(a)* Health and *(b)* Social Security in regard to the implementation of the incapacity benefit to those invalided out of employment by multiple sclerosis.

Mr. Michael Forsyth: The implementation of incapacity benefit is a matter for my right hon. Friend, the Secretary of State for Social Security. Discussions have taken place between our two Departments on several aspects of the new benefit, including its implementation and the development of the medical test. My right hon. Friend the Secretary of State for Health has also been consulted.

I understand that the new more objective medical test of incapacity will take account of the variable and fluctuating nature of illnesses such as multiple sclerosis.

TRANSPORT

Crime

Mr. Raynsford: To ask the Secretary of State for Transport what was the total number of reported crimes in *(a)* north London and *(b)* south London in each year since 1979 and in each month since 1990; if he will list for each period the number of (i) rapes, (ii) indecent assaults, (iii) other assaults, (iv) violent crimes and (v) robberies; and if he will identify separately assaults on staff and assaults on passengers.

Mr. Freeman: The tables show reported crime on BR and the London underground for London north and London south for the period 1 April 1992 to 31 March 1994. Comparable figures for the period before April 1992 are not available.

Year/Month	*London North*	*London South*
ALL CRIMES		
1992		
(from April)	12,570	13,926
1993	15,214	18,481
1994		
(to March)	3,536	4,218
1992		
April	1,207	1,196
May	1,341	1,317
June	1,376	1,528
July	1,439	1,695
August	1,422	1,656
September	1,481	1,636
October	1,654	1,726
November	1,355	1,647
December	1,292	1,510
1993		
January	1,329	1,538
February	1,248	1,541
March	1,511	1,569
April	1,262	1,435
May	1,142	1,534
June	1,380	1,513
July	1,403	1,626
August	1,228	1,584
September	1,279	1,587
October	1,272	1,493
November	1,178	1,547
December	982	1,453
1994		
January	1,040	1,360
February	1,052	1,236
March	1,434	1,622

Sexual offences

Offence	*1992 (April to December)*	*1993*	*1994 (January to March)*
London North			
Rape	1	2	1
Indecent assault	44	57	7
Indecent exposure	60	101	20
Other	7	16	8
London South			
Rape	1	3	2
Indecent assault	69	116	15
Indecent exposure	131	120	37
Other	41	97	16

Violent crimes

Offence	*1992 April—December*		*1993*		*1994 January—March*	
	Staff	*Public*	*Staff*	*Public*	*Staff*	*Public*
London North						
Attempted murder	—	1	—	1	—	—
Grievous bodily harm	1	12	8	19	2	6
Wounding	5	19	6	28	2	52
Actual bodily harm	45	136	59	197	—	—
Common assault	16	25	28	58	8	20
Assault on police	17	—	24	—	3	—
Other	1	9	3	3	—	1
London South						
Attempted murder	—	—	—	—	—	1
Manslaughter	—	1	—	—	—	—
Grievous bodily harm	1	16	2	22	—	6
Wounding	3	16	3	19	—	8
Actual bodily harm	74	229	85	266	22	99
Common assault	36	71	47	117	23	26
Assault on police	7	—	25	—	8	—
Other	2	6	1	15	1	6

Robberies

Offence	*1992 April—December*		*1993*		*1994 January—March*	
	Staff	*Public*	*Staff*	*Public*	*Staff*	*Public*
London North						
Robbery	6	159	11	302	2	100
Assault with intent to rob	—	19	1	24	—	5
London South						
Robbery	5	381	26	495	10	126
Assault with intent to rob	1	4	2	17	1	21

Cones Hotline

Ms Mowlam: To ask the Secretary of State for Transport how many calls have been received to the cones hotline since its inception; and what are the monthly costs of the line.

Mr. Key: A total of 4,538 calls have been received on the cones hotline up to 18 May. Of these, 2,600 have been complaints about or observations on cones and traffic management at roadworks which have been followed up by the relevant regional office. The remaining calls have comprised general inquiries and requests for information which were dealt with immediately.

Since March this year the cones hotline has operated on a new dedicated number giving callers direct access to the hotline operator. It has also provided for callers to be charged at their local rate irrespective of their location. The new line has been costing about £450 per month, including call charges. All other running costs have been and are being met from within budgets agreed before the hotline was established.

Departmental Staff

Mr. Redmond: To ask the Secretary of State for Transport if he will list the offices of his Department in *(a)* Doncaster, *(b)* Barnsley, *(c)* Rotherham and *(d)* Sheffield; and how many posts of each are currently covered by (i) casual, (ii) agency or (iii) fixed-term appointment staff; and what the figures were (1) 24 and (2) 48 months ago.

Mr. Norris: My Department does not employ any agency staff or staff on fixed-term appointments in Doncaster, Barnsley, Rotherham and Sheffield. Past information on agency staff is not kept, so figures are not available. A list of the offices, together with the numbers of casual staff, are as follows.

Building	*1990*	*1992*	*1994*
Wellsyke Road, Carcroft Industrial Estate, Doncaster	—	—	1
Millar House, Melton Road, Sprotborough, Doncaster	—	1	—
Shaftesbury Avenue, Intake, Doncaster	—	1	1
Bus Depot, Leicester Avenue, Doncaster	1	[1]—	[1]—
West Road, Barnsley	—	—	—
42 Sackville Street, Barnsley	—	1	1
80 Doncaster Road, Rotherham	—	—	2
St Peters House, Hartshead, Sheffield	2	—	1
East End Avenue, Manor Top, Sheffield	—	—	—
Orgreave Way, Handsworth, Sheffield	—	1	—
Richmond Park Road, Handsworth, Sheffield	—	—	—
508 Middlewod Road, Sheffield	—	—	1

[1] Office no longer open

National Road Traffic Forecasts Review

Ms Walley: To ask the Secretary of State for Transport if he will publish the terms of reference for the review of the methodology of the national road traffic forecasts and of the terms of reference of the advisory panel set up to assist this review, the members of the panel with the organisations that they represent, a list of the research that has been or is to be commissioned to assist the review and the date by which the review is expected to be completed.

Mr. Key: I announced to the House on 25 November 1993, *Official Report,* column 101 that my Department had made arrangements to receive advice from experts in traffic modelling and related fields. Those experts have been brought together to form an advisory group. The group has no formal terms of reference: their business is to advise the Department on the methods appropriate for the preparation of the national road traffic forecasts. This is a new part of our normal practice of keeping the forecasts constantly under review. The Department remains satisfied with the existing published forecasts (NRTF(GB)1989), but always seeks to assess possible improvements to forecasting methodology.

The membership of the group is:

Mr. H. C. S. Derwent, Grade 3, National Roads Policy Division, Department of Transport (Chairman).

Professor Peter Hills, Department of Civil Engineering, University of Newcastle-upon-Tyne.

Mr. Hollingsworth, Chief Economist, Society of Motor Manufacturers and Traders.

Mr. D. Humby, Head of Transport Planning, Hertfordshire County Council.

Mr. R. Turner, Executive Director, Transport Planning, Freight Transport Association.

Mr. Peter Mackie, Deputy Director, Institute of Transport Studies, University of Leeds.

Mr. Keith Buchan, Metropolitan Research Unit.

Together with representatives of the Department of Trade and Industry, the Department of the Environment, HM Treasury, and those in the Department of Transport responsible for the Forecasts.

The members of the group contribute independent expertise; they are not appointed as representatives of any particular interest or group. The group's purpose is to give the Department advice on such technical forecasting issues as are placed before it.

The Department has an on-going programme of research on traffic, car ownership and use. Research let outside the Department particularly relevant to the forecasts includes:

derivation of a database of traffic flows by area, road type, time and purpose;

effects of congestion on car and commercial vehicle use;

effects of higher fuel prices on vehicle use.

Further research will be let outside the Department as the need is identified.

The members of the group have been told that their work will last about 18 months, though this will depend on the nature of the issues that arise.

Seat Belts

Mr. Worthington: To ask the Secretary of State for Transport what are the technical or engineering obstacles to the introduction of seat belts in minibuses and coaches.

Mr. Key: None. Major manufacturers of minibuses now fit seat belts as standard equipment and coach manufacturers can provide them as an option. Most vehicles can be retrofitted; but there may be technical difficulties in some older vehicles because of the way in which they were originally constructed.

Mr. Worthington: To ask the Secretary of State for Transport what representations he has made to the European Union about the desirability of fitting seat belts in minibuses and coaches.

Mr. Key: Following the Auxerre coach accident in France in 1990, representations were made to the Commission to consider amendment of the relevant directives to allow the fitting of seat belts to all seats in minibuses and coaches. In the light of reaction from member states, the Commission concluded at the time that there was insufficient support for any proposal on these lines to take the matter forward.

Mr. Worthington: To ask the Secretary of State for Transport what obstacles exist in the European Union to the introduction of seat belts in minibuses and coaches.

Mr. Key: The European Commission has recently announced a strategy for improved bus and coach safety which includes the fitment of seat belts in vehicles which do not carry standing passengers. We await its detailed proposals.

Mr. Worthington: To ask the Secretary of State for Transport how many representations he has received on the desirability of requiring the introduction of safety belts in minibuses and coaches; and what is his timetable for responding to these.

Mr. Key: I have received over 700 letters from both hon. Members and members of the public on this subject during the last seven months, as well as a large number of telephone calls.

We aim to reply to letters from members of the public within 20 working days of receipt.

Air Cargo Agents

Miss Lestor: To ask the Secretary of State for Transport how many applicants have applied for listed agent status under the Aviation Security (Air Cargo Agents) Regulations 1993.

Mr. Norris: A total of 355 applications for listed agent status have been made to my Department.

Miss Lestor: To ask the Secretary of State for Transport if he will list the applicants for listed agent status provisionally listed under the Aviation Security (Air Cargo Agents) Regulations 1993.

Mr. Norris: Eighty-eight air cargo agents have been listed by my Department. I am placing copies in the Library.

Company Cars

Mr. Flynn: To ask the Secretary of State for Transport what assessment he has made of the traffic accidents which involve company-owned cars; and what recommendation he has to improve safety in this area.

Mr. Key: Statistics indicate that the accident claim rate for company owned vehicles is some 60-70 per cent. greater than for privately owned vehicles. We have commissioned research from which we shall assess the potential for introducing measures to reduce the accident liability of fleet vehicles.

Spain-Morocco Ferry Service

Mr. Ottaway: To ask the Secretary of State for Transport what action his Department has taken in recent weeks regarding the repeated refusal of the Spanish authorities to allow Cenargo Ltd. to operate a ferry service to Morocco in accordance with EC regulations.

Mr. Norris: My Department has continued to take every opportunity to raise the matter, both bilaterally with Spain and within the European Community. We understand that the European Commission has decided to open infraction proceedings against Spain in this case under article 169 of the treaty of Rome.

Bus Passes

Mr. Wigley: To ask the Secretary of State for Transport if he will review the working of section 93(7) of the Transport Act 1985 to ensure that eligibility for bus passes is standardised at 60 years of age for both men and women; and if he will make a statement.

Mr. Freeman: At present we have no plans to review the working of section 93(7) of the Transport Act 1985 other than as indicated in the second part of my reply to the hon. Member for Alyn and Deeside (Mr. Jones) on 13 May, *Official Report* column *281*.

High Vehicles

Mr. Snape: To ask the Secretary of State for Transport (1) what progress has been made in introducing regulations to require operators of vehicles over 3 m high to display the height of the vehicle in the cab;

(2) from what date he will require operators of vehicles over 4·88 m high to give advance notice to local authorities of their movements;

(3) what progress has been made in introducing regulations to require operators of skips or tipper lorries to provide a warning device in the driving cab to show when the lifting equipment is raised.

Mr. Key: Requirements for operators of vehicles over 3 m in height to display the height of the vehicle in the cab, for operators of skips or tipper lorries to provide a warning device in the cab and for operators of vehicles over 4.88 m high to give advance notice of their movements to local authorities are being considered as part of a package of changes to the Road Vehicles (Construction and Use) Regulations 1986 to alleviate the problem of “bridge bashing”. We are currently considering a number of points raised by operators in response to consultation on the issue. I cannot therefore give a definite date for implementation.

Departmental Staff

Mr. Cohen: To ask the Secretary of State for Transport how many staff in his Department have received their notice in the last month; how many of those were casual staff; and how they were notified.

Mr. Norris: The number of staff who left the Department in April was 147. Of these 81 were permanent staff and 66 were casuals. All staff leaving, for whatever reason, receive their notice in the form of a letter from their personnel officer.

East London Transport Stoppage

Mr. Mackinlay: To ask the Secretary of State for Transport what were the extent and circumstances of the failure of rail and tube services from east London on 10 May; what estimate he has made of the number of passengers inconvenienced; and if he will make a statement.

Mr. Norris: I understand from the operators of these services that on 10 May, at about 0700 hours, the overhead power cables at East Ham came down, stopping services on the London, Tilbury and Southend—LTS—line. Fenchurch Street station was closed and all LTS services terminated at Barking until 0530 hours the following day. This incident also resulted in delays to westbound services on London Underground's District line of something in excess of two hours.

We do not have figures for the number of passengers affected by this incident. However, LTS estimates that 25,000 people travel into London on their services each weekday. LUL, which runs westbound District line trains every two to four minutes in the peak hours, tells me that approximately 600 people travel on each peak hour train.

LTS has said that a full inquiry is taking place to establish the cause of this incident.

Railway Franchises

Mr. Nicholls: To ask the Secretary of State for Transport (1) what is Railtrack's liability to passenger franchise operators in the event of a section of track being taken out of service for whatever reason; and what is the extent of that liability;

(2) who is responsible for consequential financial losses incurred by railway franchisees in the event of a railway line being temporarily shut due to track failure or an accident;

(3) what is the role of the Office of the Rail Regulator in intervening in financial liability disputes between Railtrack and passenger franchise operators.

Mr. Freeman: Existing access contracts between Railtrack and BR's train operating units provide for penalty payments to be made by Railtrack in the event of Railtrack's performance falling below predetermined standards, such as where delays are caused by infrastructure failure. They also provide for the abatement of access charges payable by train operators, in accordance with set criteria, in the event of severe disruption. Future access agreements to be negotiated between Railtrack and train operators are likely to include similar arrangements. These agreements will be subject to the approval of the Regulator.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Transport what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Norris: Nine civil servants employed by the Department and its agencies assert that they have developed work-related upper limb disorders as a result of their employment and have made claims against the Department.

International Rail Services

Mr. Dunn: To ask the Secretary of State for Transport what restrictions there will be on international rail services through the channel tunnel arriving at Waterloo international terminal during the monring peak hours; and if he will make a statement.

Mr. Freeman: Hon. Members were informed during the passage of the Channel Tunnel Bill in 1986, that restrictions would apply to morning peak hour international arrivals. The aim was to avoid overcrowding on the underground at Waterloo and inconvenience to travellers.

However, improvements in the facilities for the mainline underground stations at Waterloo and London Underground Ltd. services, mean that the stations will now be able to cope with international passengers arriving during the 0800—0900 peak without inconveniencing other travellers. Consequently European Passenger Services wishes to plan for two Eurostar arrivals to Waterloo international terminal shortly before 0900 on weekdays when full services commence later this year.

European Passenger Services has consulted LUL which is content with this arrangement.

Station Staff, London

Ms Jowell: To ask the Secretary of State for Transport how many station staff were employed by British Rail on stations in London in 1980, 1985, 1989, 1991 and 1993.

Mr. Norris: The information requested is as follows (figures as at 31 March):

	Number
1980	4,950
1985	4,490
1989	3,740
1991	3,510
1993	3,170

These figures provided by BR are estimates. They take into account staff movements and assignments within grades—that is, some staff are not permanently based at stations or serve more than one station.

Tankers

Mr. Ainger: To ask the Secretary of State for Transport what monitoring has been done of the operation of the voluntary ban on tankers over 10,000 tonnes gross registererd tonnage using the passage between Grassholm and Skomer islands; and how many vessels are known to have broken the ban since it was introduced.

Mr. Norris: None. The Department is unaware of any breaches of the internationally agreed recommendation that large laden tankers should avoid the Grassholm channel. Nevertheless, Lord Donaldson's report, "Safer Ships, Cleaner Seas", announced to the House on 17 May, recommends a traffic survey of the areas for a limited but representative period, and we are considering how best to respond to this recommendation.

Accidents (Children)

Mr. Flynn: To ask the Secretary of State for Transport how many children have died in cycling accidents in each of the last 10 years; and what proposals he has to reduce the number of such fatalities.

Mr. Key *[holding answer 20 May 1994]:* The information requested is shown in the table. The Department is continually investing time and resources into finding ways to improve safety and convenience for cyclists. The ongoing cycle safe campaign promotes safer cycling and is particularly aimed at children. They are especially encouraged to take proper training. We actively promote the benefits of cycle helmets for children.

The Department is working to harden attitudes to speeding motorists—one of the major causes of accidents for all road users, cyclists or otherwise.

The Department also offers guidance to local highway authorities on the facilities which may be introduced to benefit cyclists.

Child[1] pedal cyclist fatalities: Great Britain 1982-1992

Casualties

Year	*Pedal cyclist*
1982	93
1983	102
1984	110
1985	79
1986	58
1987	79
1988	62
1989	73
1990	59
1991	50
1992	48

[1] Aged 0-15.

Mr. Flynn: To ask the Secretary of State for Transport how many accidents in which children died in each of the last 10 years were caused by drinking and driving.

Mr. Key *[holding answer 20 May 1994]:* The national road accident database includes only objective accident details. It does not include information on the cause of accidents and the information requested is not available. However the following table shows the number of child fatalities in drink-drive accidents during the past 10 years.

Child Fatalities in Drink Drive Accidents

	Number
1982	37
1983	29
1984	27
1985	35
1986	22

	Number
1987	27
1988	18
1989	19
1990	24
1991	14
[1]1992	15

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[1] Provisional

London Underground

Mrs. Roche: To ask the Secretary of State for Transport if he will list the recommendations of the Fennell report into the King's Cross fire which have not yet been implemented; and when he expects them to be implemented.

Mr. Norris *[holding answer 20 May 1994]:* London Underground Ltd. has now implemented 116 of the 127 recommendations addressed to it in the Fennell report. One recommendation, which was not accepted by LUL, has been completed by other means. This leaves the following recommendations still to be fully implemented:

6a Escalator lubrication
8b Line Controllers facilities
16a Research into air movement
36 Escalators—elimination of wooden treads and risers
49a Station ventilation systems
52a Elimination of VIR cable (infrastructure)
69 Removal of hazardous materials
114 Improvements to CCTV
125 Control of smoke ahd ventilation
142 Subway link at King's Cross

Discussions on how best to deal with these are taking place between Her Majesty's railways inspectorate and London Underground.

Mrs. Roche: To ask the Secretary of State for Transport which consultants carried out the quantified risk assessment from which his Department concluded that there was little risk of fire as a result of wooden treads on London Underground's escalators; and if he will publish that assessment.

Mr. Norris *[holding answer 20 May 1994]:* The quantified risk assessment was carried out for London Underground by Trident Consultants Ltd. as part of a comprehensive two-year study of risks on the underground. As the consultants' final report also includes assessments of risks arising from terrorism it is not for general publication. However, I understand that London Underground is willing to give the hon. Lady a briefing on the risks associated with the wooden escalator treads if she would find that helpful.

Ms Ruddock: To ask the Secretary of State for Transport what was the ethnic origin of each of the employees of London Underground who experienced an assault while on duty during 1993.

Mr. Norris *[holding answer 20 May 1994]:* The ethnic origins of the 431 London Underground staff who were victims of either criminal or common assaults in 1993 were as follows:

	Number
UK/Eire	237
Other European	17
Asian	59
African	44
Caribbean	59
Other	15
Total	431

Jubilee Line Extension

Mr. Spearing: To ask the Secretary of State for Transport what is the range of estimated cost of additions to Westminster underground station occasioned by the Jubilee line extension, excluding any features necessary for the new parliamentary building.

Mr. Norris *[holding answer 20 May 1994]:* Contracts have been awarded for both the civil and the electrical and mechanical work associated with the new Westminster station. The estimated cost for the work is in the range of £75 million to £80 million. It is not possible separately to identify the effect of the new parliamentary building.

Road Construction Contracts

Mr. Simon Hughes: To ask the Secretary of State for Transport if he will list the major road construction contracts awarded by his Department worth over £300,000 at current prices, indicating the name of the construction company who was awarded the contract for *(a)* the year from January 1993 to January 1994 and *(b)* since February 1994.

Mr. Key: *[holding answer 20 May 1994]:* Since 1 April, responsibility for managing, maintaining and improving the national road network in England now lies with the Highways Agency. As the information requested by the hon. Member relates to operational matters of the Highways Agency, I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Simon Hughes, dated 20 May 1994:

> You put down a Parliamentary Question for answer by the Secretary of State concerning major construction contracts awarded since January 1993.
>
> As the information requested concerns operational matters for which the Highways Agency is now responsible I am replying to your Question.
>
> You asked for a list of road construction contracts over £300,000 in value that had been awarded firstly for the period January 1993 to January 1994, and secondly since February 1994, together with the name of the successful contractor.
>
> The attached lists give the information in relation to contracts valued in excess of £1 million. The Agency does not currently keep central records of contracts below £1 million and I regret this information cannot be provided without incurring disproportionate cost.

List of all major road schemes (over £1 million estimate) awarded between 1 January 1993 and 31 January 1994 (13 months)

Scheme name	*Award date*	*Award price (£)*	*Contractor*
A19 Clack Lane to Silton	5 January 1993	2,129,639·00	Tarmac Quarry Products Ltd.
A49 Onibury—Stokesay Improvement	6 January 1993	1,848,925·00	Biwater Construction Ltd.
M23 between junction 10 Crawley and junction 11 Pease Pottage	8 January 1993	4,724,106·00	Colcon Ltd.
M5 between junctions 20 (Clevedon) and 19 (Portbury), North	8 January 1993	858,860·00	Redland Aggregates Ltd.
A31 Ringwood to Picket Post, Hampshire	15 January 1993	1,904,208·00	Mowlem, John, Construction plc
A45 and A11 Swaffham Heath Road Bridge	18 January 1993	567,788·00	Christiani and Nielsen Ltd.
M50 and M5, Cabling Works, Hindlip B	21 January 1993	1,604,418·14	Murphy Ltd.
M54 and M6, Cabling Works, Hindlip C	21 January 1993	1,384,283·56	Murphy Ltd.
M4 junction 4B (M25)—junction 5 (Langley)	29 January 1993	4,970,314·00	Amey Construction Ltd.
A64 Wild Man Inn—York bypass	2 February 1993	1,814,733·00	Balfour Beatty Ltd.
A1 between M62 south of Darrington, West Yorkshire	3 February 1993	2,119,387·00	Tarmac Quarry Products Ltd.
M4 and M5—Second Severn crossing approaches	5 February 1993	65,119,651·00	Balfour Beatty Ltd.
M1 junction 9-10 (Northbound), Hertfordshire	5 February 1993	9,719,555·00	Amey Construction Ltd.
M56 widening between junction 4 (Simonsway) and junction 6	11 February 1993	11,820,083·00	McAlpine, Alfred, Construction Ltd.
M6 Preston—junctions 30-32	11 February 1993	37,458,986·00	Balfour Beatty Ltd.
Term maintenance—Trunk roads and motorways, M4 West	15 February 1993	11,414,660·00	Amey Construction Ltd.
M56 between junctions 12 and 14	15 February 1993	3,939,879·00	Tarmac Quarry Products Ltd.
M27 junctions 3 to 2 concrete repairs (M271 spur)	19 February 1993	1,367,252·00	AMEC Civil Engineering Ltd.
M1 between junctions 28 and 29, (Tibshelf to Heath)	22 February 1993	4,465,418·00	Tarmac Quarry Products Ltd.
Term maintenance, Greater Manchester, Motorway	23 February 1993	23,163,993·00	Nuttall, Edmund Ltd.
M5 Oldbury Viaduct, Sandwell contract R39	2 March 1993	1,230,572·00	Shephard Hill Civil Engineering Ltd.
Term maintenance, A23 and A205 trunk roads in South London	2 March 1993	7,040,203·00	Fitzpatrick Contractors Ltd.
Term maintenance—M1, M18 and A1, South Yorkshire	5 March 1993	16,577,868·00	Tarmac Quarry Products Ltd.
M57 junctions 4-7, A59 trunk road	8 March 1993	3,630,005·00	Galliford (U.K.) Ltd.
M20 junctions 1-3, Contract 8	9 March 1993	3,323,433·00	Tarmac Construction Ltd.
M5 between M6 junction 7 and M5, Sandwell	12 March 1993	3,134,870·00	Nuttall, Edmund, Ltd.
A1(M) between Bowburn interchange and Carville, Durham	16 March 1993	3,258,101·00	Cumbrian Industrials Ltd.
M20 between junctions 8 and 13 communications upgrade	16 March 1993	1,538,143·00	Associated Asphalt Ltd.
A5 Tamworth-Staffordshire (Fazeley Two Gates)	23 March 1993	25,955,498·00	McAlpine, Alfred, Construction Ltd.
Term maintenance-M1, M62 and M621, West Yorkshire	23 March 1993	17,060,250·00	Amey Construction Ltd.
A38 Plympton bypass, westbound, near Plymouth	30 March 1993	1,179,906·00	Associated Asphalt Ltd.
A1(M) between junction 4 (Hatfield) and junction 6 (Welwyn)	31 March 1993	5,506,152·00	Laing, John, Construction Ltd.
Term maintenance—Midland Links Motorway 1993-95	1 April 1993	3,467,832·00	Prismo Ltd.
M25 between junctions 8 and 10, Reigate-Wisley interchange	1 April 1993	2,508,051·00	Mowlem, John, Construction plc.
M62 improvement between junction 14 and junction 17	5 April 1993	10,223,164·00	Birse Construction Ltd.
A1 Walshford-Dishforth, north of Wetherby	8 April 1993	53,795,508·00	joint venture—A. McAlpine Construction/AMEC
A38 Drybridge-Wrangaton, south of Buckfastleigh	8 April 1993	1,171,664·00	ARC Ltd.
A5 Staples Corner, London Borough of Barnet	14 April 1993	901,113·00	Tilbury Douglas Construction Ltd.
M5 Oldbury Viaduct, Contract R17, Sandwell	16 April 1993	1,425,317·00	Christiani & Nielsen Ltd.
A31 Picket Post to Ocknell	27 April 1993	1,753,742·00	Birse Construction Ltd.
M1 junction 1, Barnet, viaduct access slips	28 April 1993	4,235,912·00	Shephard Hill Civil Engineering Ltd.
A20 Swanley bypass, west of M25/M20, junction 3	29 April 1993	1,275,338·00	May Gurney & Co., Ltd.
A406 North Circular Road, Falloden way, Barned (adv. works)	4 May 1993	1,247,694·00	Nuttall, Edmund, Ltd.
A69 Hexham-Corbridge bypass between Styford and Bridge End	6 May 1993	778,057·00	Davison, Alan (Construction) Ltd.

Scheme name	*Award date*	*Award price (£)*	*Contractor*
M6 Thornlvridge Viaduct, Contract R52	7 May 1993	595,898·00	Tarmac Construction Ltd.
A12 between Hughes Corner (B1068) and Old London Road (C472)	11 May 1993	1,111,187·00	Fitzpatrick Contractors Ltd.
M66 Denton-Middleton (M62 to River Irk), con. 4	14 May 1993	19,237,248·00	Costain Building & Civil Engineering Ltd.
A45 maintenance between Quy and Newmarket bypass	14 May 1993	4,198,842·00	AMEC Civil Engineering Ltd.
M6 between junctions 38-39, Cumbria	17 May 1993	4,099,000·00	Cumbrian Industrials Ltd.
M3 junctions 8-9	17 May 1993	2,267,947·00	Fitzpatrick Contractors Ltd.
M5 junction 18, Avonmouth, north-west of Bristol	19 May 1993	7,926,340·00	Wimpey Construction Ltd.
A66 Cumbria, East of Brough to Palliard	26 May 1993	7,636,582·00	Kier Construction Ltd.
M1 junctions 34-35	27 May 1993	2,417,294·00	Balfour Beatty Ltd.
A1 Little Ponton-Gorse Lane, Lincolnshire	28 May 1993	884,918·00	Tarmac Quarry Products Ltd.
A52 South of Ashbourne, Derbyshire Relief Road	7 June 1993	3,185,220·00	Tarmac Construction Ltd.
M62 junctions 30-31	8 June 1993	6,702,818·00	Tarmac Quarry Products Ltd.
A34 Botley Flyover—Deck Reconstruction	9 June 1993	933,876·00	Norwest Holst Construction Ltd.
A30/A39 Indian Queen junction between Bodmin and Redruth	10 June 1993	12,695,070·00	Tarmac Construction Ltd.
A17 Wigtoft-Sutterton, Lincolnshire	14 June 1993	4,402,863·00	May Gurney & Co. Ltd.
M18 junctions 5-6	16 June 1993	4,039,307·00	Mowlem, John, Construction plc.
A40 between A4095 Overbridge Witney, Oxfordshire	24 June 1993	2,035,182·00	SIAC Construction Ltd.
A406 North Circular Road, East of Falloden Way, Main Works	29 June 1993	27,013,720·00	Nuttall, Edmund, Ltd.
M62 junction 26, Gildersome-Dulverton	30 June 1993	2,899,500·00	Tilcon Ltd.
M4 between junction 15 (A419) and junction 16 (A3102), Wiltshire	6 July 1993	1,335,684·00	Redland Aggregates Ltd.
M62 between Pollington and Whitley Bridge, Westbound	9 July 1993	2,770,040·00	Tilcon Ltd.
M6 Midland links Motorway East of junction 2, Coventry	9 July 1993	4,665,172·00	Tarmac Quarry Products Ltd.
M50, M54 and M5 Electrical Works, Hindlip D.	14 July 1993	1,088,818·00	Philips Communications Ltd.
M3/A34 junction 9, Maintenance Compound	19 July 1993	1,191,796·00	Wiltshier Construction (Midland) Ltd.
A12 Hackney Wick to Redbridge Roundabout Contract 4	27 July 1993	31,558,185·00	Norwest Holst Construction Ltd.
A65 Burley in Wharfedale bypass, West Yorkshire	30 July 1993	5,547,467·00	Amey Construction Ltd.
M6 between junctions 12-13, Staffordshire	2 August 1993	746,459·00	Colcon Ltd.
M27 junctions 7-8	17 August 1993	2,306,052·00	Tarmac Construction Ltd.
A40 Crockers Ash—Newton Court	19 August 1993	2,140,716·00	Laing, John, Construction Ltd.
A34 Hinksey Hill (A423) to Lodge Hill (A4183)	24 August 1993	2,251,013·00	Colcon Ltd.
M3 between Sunbury junction 1 M/P 24/6-Junction M/P 28/0	24 August 1993	3,848,762·00	Costain Building & Civil Engineering Ltd.
M1 junction 30-31	25 August 1993	4,481,825·00	Tarmac Quarry Products Ltd.
A52/A453 Clifton Bridge Complex, Nottingham	25 August 1993	1,459,814·79	Morrison Construction Ltd.
A56 Edenfield bypass Contract T 138	26 August 1993	1,689,918·00	Tarmac Quarry Products Ltd.
M1 East and North of Milton Keynes, Buckinghamshire	27 August 1993	1,278,387·86	Redland Aggregates Ltd.
M5 between junctions 13-15	13 September 1993	1,650,447·00	Galliford (U.K.) Ltd.
M6 junctions 15-16, Keele Bank M/P 246/5-249/4	16 September 1993	1,456,464·00	McAlpine, Alfred, Quarry Products Ltd.
M5 between junction 27 and 26, Sampford Peverell-Chelston	16 September 1993	1,352,977·68	Associated Asphalt Ltd.
A38 Plympton bypass, Stage 2	16 September 1993	1,496,250·65	Costain Building and Civil Engineering Ltd.
M4 junction 14, Shefford Woodlands Interchange	16 September 1993	2,674,964·36	Associated Asphalt Ltd.
A168 Asenby-Topcliffe, Yorkshire	17 September 1993	1,531,000·00	Cumbrian Industrials Ltd.
A1 Stamford Bypass	20 September 1993	1,010,236·00	Wrekin Construction Co. Ltd.
A140 South of Scole and East of Thelveton	22 September 1993	7,186,504·00	Boot, Henry, Southern Ltd.
A64 Hopgrove to Grimstone, Major Maintenance	23 September 1993	2,107,717·00	Ward, Thos. W., Roadstone Ltd.
A120 Crown Interchange-Stratford St. Mary	28 September 1993	3,131,169·08	Tilbury Douglas Construction Ltd.

Scheme name	*Award date*	*Award price (£)*	*Contractor*
M25 junctions 2-3 between A2 Interchange and A20/M20	1 October 1993	11,602,076·00	Tarmac Construction Ltd.
A21 Tonbridge bypass between A2014-Medway Viaduct	1 October 1993	4,898,988·00	Birse Construction Ltd.
A435 Norton Lenchwick bypass	5 October 1993	19,226,966·89	McAlpine, Alfred, Construction Ltd.
A31 between Ringwood and St. Ives, Dorset (Ashley Heath)	5 October 1993	6,696,391·00	Wimpey Construction Ltd.
M1 junctions 18-19, near Rugby, Northamptonshire	6 October 1993	2,265,545·00	Amey Construction Ltd.
A130 Pairglen Interchange-A132 Nevendon	6 October 1993	1,515,627·77	Fitzpatrick Contractors Ltd.
A1 Jockey Lane-Apley Head	8 October 1993	2,999,020·44	Ward, Thos. W. Roadstone Ltd.
M4 between junction 18 (Tormanton) and junction 19 (Hambrook)	11 October 1993	1,648,631·60	Wimpey Hobbs Ltd.
M23 between Hooley and Merstham Interchanges, Road Lighting	13 October 1993	2,024,991·00	Birse Construction Ltd.
A38 Trethawle-Tinkers Lake, Cornwall	15 October 1993	1,529,429·00	Cornwall CC DLO
A3 between south of Wisley M/P 13/6-Burpham M/P 20/4	15 October 1993	14,231,837·71	Tarmac Construction Ltd.
A4 West Cromwell Road, Viaduct Repairs	15 October 1993	1,994,604·00	Tilbury Douglas Construction Ltd.
M1 junctions 12-11	21 October 1993	909,918·12	Laing, John, Construction Ltd.
A30 Shallowater Hill-Bodmin Moor	21 October 1993	1,703,628·00	Christiani and Neilsen Ltd.
A30 Honiton bypass	22 October 1993	1,422,586·77	Associated Asphalt Ltd.
A34 Wood Farm—Redhill, Southbound	26 October 1993	982,811·76	Wrekin Construction Co. Ltd.
A1(M) between junction 1 South Mimms and junction 2 (Colney)	28 October 1993	1,960,435·00	Fitzpatrick Contractors Ltd.
M56 between junctions 11 and 12 (Stage 10)	10 November 1993	6,873,993·00	ARC Ltd.
A406 Silver Street-Hall Lane, Lea Valley Viaduct	12 November 1993	21,761,735·00	Nuttall, Edmund, Ltd.
M5 Titford Viaduct-junction 2 Contract R49	15 November 1993	2,114,382·91	Tarmac Construction Ltd.
A303 Bullington Cross-Andover	18 November 1993	1,596,982·96	Osborne, Geoffrey, Ltd.
M1 between South of junction 23 and junction 23A, Road Lighting	25 November 1993	1,301,135·27	Fitzpatrick Contractors Ltd.
A30 Staines By-pass between Glanty and Billet Bridge	26 November 1993	3,190,236·45	Costain Building & Civil Engineering Ltd.
A50 Blythe Bridge-Queensway, Staffordshire	29 November 1993	23,072,304·00	Birse Construction Ltd.
A12 Hackney Wick-M11 Link Road, Contract 1A	30 November 1993	1,949,394·00	Christiani & Nielsen Ltd.
A13 Butcher Row and Branch Road, East London	30 November 1993	922,128·89	Fitzpatrick Contractors Ltd.
A417 Brockworth Bypass, East of Gloucester	2 December 1993	35,142,010·58	Wimpey Construction Ltd.
A5 between Longford Island (junction A460) and (junction 12)	7 December 1993	1,452,363·36	Kimbell Construction Ltd.
A11 between Stump Cross and Four Wentways, Cambridgeshire	8 December 1993	18, 149,454·27	Roadworks (1952) Ltd.
A34 between Firgo Park-Tufton	13 December 1993	955,144·00	ARC Ltd.
A12 between Hackney Wick and M11 Link Road, Contract 2B	13 December 1993	3,524,321·00	Murphy, J. & Sons Ltd.
M2 junctions 5 and 7, major maintenance	13 December 1993	1,333,137·66	May Gurney & Co. Ltd.
M4 junction 4-4A Heathrow Airport Link Road	15 December 1993	2,755,299·19	Amey Construction Ltd.
M1 junction 30, Barlborough-Woodall	17 December 1993	3,963,812·84	Tarmac Quarry Products Ltd.
A11 Wymondham Southern Bypass	17 December 1993	16,940,943·10	McAlpine, Alfred, Construction Ltd.
M18 junction 3-4	21 December 1993	3,289,904·53	Ward, Thos. W., Roadstone Ltd.
A17 Leadenham Bypass Improvement	22 December 1993	3,322,890·66	May Gurney & Co. Ltd.
A45 Stonebridge, East of A45/M42	23 December 1993	8,447,149·00	Tilbury Douglas Construction Ltd.
M25 Widening between junctions 10 and 11, Wisley and Chertsey	23 December 1993	35,097,353·15	Mowlem, John, Construction Plc
M4-A3005 Heston Road, Hounslow	23 December 1993	5,695,224·00	Associated Asphalt Ltd.
A406 Silver Street-Hall Lane, Angel Road Viaduct	24 December 1993	19,785,316·89	AMEC Civil Engineering Ltd.
M6 Bescot Viaduct, North of junction 9, Contract R43	24 December 1993	1,182,897·00	Taylor Woodrow Construction Holdings Ltd.
A64 Fulford-A19 and A1079	5 January 1994	3,075,229·72	Tarmac Quarry Products Ltd.
A47 Walpole Highway and Tilney High Bypass, Cambridgeshire	7 January 1994	23,455,738·07	May Gurney & Co. Ltd.
A13 West of Heathway (A1240), South East of Wennington	10 January 1994	11,785,847·56	AMEC Civil Engineering Ltd.
M58 junction 3-M6 Interchange	11 January 1994	2,397,882·60	Galliford (U.K.) Ltd.

Scheme name	*Award date*	*Award price (£)*	*Contractor*
M602 junction 1, West of Manchester	12 January 1994	3,992,093·55	Mowlem, John, Construction Plc
A303 between Harewood Forest and Bransbury	12 January 1994	2,597,425·87	Costain Building & Civil Engineering Ltd.
A12 Boxted Bridge to Spring Lane	13 January 1994	1,098,504·88	Roadworks (1952) Ltd.
A27 Patching between Worthing and Arundel, West Sussex	20 January 1994	6,402,673·62	Amey Construction Ltd.
A50 Blythe Bridge-Contract 1B	21 January 1994	28,414,397·00	Joint venture-Christiani/Kier
M25 between junction 7 (Merstham) and junction 9 (Reigate)	25 January 1994	45,979,928·48	Laing, John, Construction Ltd.
A249 between Bobbing and North of Iwade, Kent	25 January 1994	35,721,035·06	AMEC Civil Engineering Ltd.
Total for period		£1,037,208,941·30	

List of all major road schemes (over £1 million estimate) awarded between 1 February 1994 and 18 May 1994

Scheme Name	*Award date*	*Award price (£)*	*Contractor*
M4 junction 19 and junction 18	1 February 1994	2,036,894·21	ARC Ltd.
A4 River Loddon, East of Reading	3 February 1994	951,569·00	Christiani & Nielsen Ltd.
M64 Blackburn Southern bypass, Contract 1	4 February 1994	65,861,695·00	Tarmac Construction Ltd.
A2 Canterbury bypass between A2050 (Harbledown) and A28	4 February 1994	1,869,246·29	ARC Ltd.
A55 Between junction A483 and Cheshire/Clwyd	7 February 1994	3,296,329·00	Galliford (U.K.) Ltd.
A13 Thames Avenue—Wennington	9 February 1994	71,273,666·10	Balfour Beatty Ltd.
A4/A46 Batheaston—Swainswick bypass	11 February 1994	44,953,293·00	Amey Construction Ltd.
A1 South Witham—Woolfox, Nr. Stamford, Leicestershire	14 February 1994	1,420,181·50	ARC Ltd.
M6 junctions 5-6, Bromford Viaduct	15 February 1994	7,095,869·00	Galliford (U.K.) Ltd.
M20 Between junction 1 and 3, Communications Infrastructure	15 February 1994	552,443·84	Semple & Cochrane Ltd.
A66 Penrith and Keswick (Climbing Lane)	16 February 1994	846,748·70	Cumbria CC DLO (County Contracting)
M66 Moston Brook Outfall, Advance Works	17 February 1994	2,083,000·00	Kennedy Construction Group
A38 (Catholme) Barton—Bramston Interchange	22 February 1994	1,479,936·78	Tarmac Quarry Products Ltd.
A27 Kingston—Hangleton, Southwick Hill Tunnel	1 March 1994	4,561,802·00	Hall, Matthew, Mechanical & Electrical Engineering
A249 Queenborough bypass	3 March 1994	1,096,053·77	Tilbury Douglas Construction Ltd.
M26 junction 5—junction 2A Dunton Green Railway Bridge	3 March 1994	4,561,544·09	ARC Ltd.
M11 Between junctions 7 and 8	16 March 1994	1,505,838·85	SIAC Construction Ltd.
M1 junction 4—Deansbrook Viaduct	20 March 1994	11,981,013·00	Fitzpatrick Contractors Ltd.
A66 Bassenthwaite Lake/Keswick	21 March 1994	1,328,700·00	Cumbrian Industrials Ltd.
M5 Western Arm—Contract MM84	22 March 1994	5,687,538·00	Christiani & Nielsen Ltd.
A13 Cotton Street Blackwall Tunnel—A102 Improvement	23 March 1994	5,100,697·98	Murphy, J. & Sons Ltd.
M5 North of Exeter, Poltimore To Hele Straight	23 March 1994	1,690,066·90	Costain Building & Civil Engineering Ltd.
A5 Between B5011 and A461, North of Birmingham	25 March 1994	1,171,607·00	Galliford (U.K.) Ltd.
A38 Marsh Mills Viaduct Replacement	30 March 1994	12,229,225·00	Hochtief A.G.
M4 junction 10, Winnersh Interchange	11 April 1994	7,152,923·21	Mowlem, John, Construction Plc.
M5 Between junction 22 (Edithmead) and junction 23 (Dunball)	12 April 1994	1,148,618·00	Constable Hart & Co. Ltd.
A19 Sheraton—Peterlee, North and South Bound, Durham	15 April 1994	3,533,000·00	Cumbrian Industrials Ltd.
A27 West of Lewes, East Sussex	15 April 1994	1,590,523·50	Associated Asphalt Ltd.
M4 junction 3—Heston Road	22 April 1994	5,720,560·00	Associated Asphalt Ltd.
Term Maintenance, North Yorkshire—Contract 3	26 April 1994	1,017,072·00	North Yorkshire County Council DLO
Term Maintenance, North Yorkshire—Contract 2	26 April 1994	1,154,705·00	North Yorkshire County Council DLO
A1(M) Sprotborough—junction 37 (Marr), South Yorkshire	10 May 1994	6,640,000·09	Ward, Thos. W., Roadstone Ltd.
A46—A606 Widmerpool junction, Nottinghamshire	12 May 1994	885,974·00	Shanks & McEwan (Contractors) Ltd.
Total for period		£283,478,334·81	

AGRICULTURE, FISHERIES AND FOOD

Consultants

Ms Primarolo: To ask the Minister of Agriculture, Fisheries and Food what was the expenditure on management and financial consultants by her Department in 1992-93.

Mr. Jack: The expenditure by my Department—excluding the Intervention Board executive agency—on management and financial consultants in 1992-93 was approximately £2,021,000.

Whales

Mr. Jim Cunningham: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement about the International Whaling Commission's study on whale watching.

Mr. Jack: The United Kingdom introduced a resolution on whale watching to the 1993 annual meeting of the International Whaling Commission which was adopted by consensus. This called on IWC members to submit reports on the extent and economic significance of whale-watching operations in their respective countries. Many countries, including the United Kingdom, have submitted reports and these have summarised by the IWC secretariat in a document which is being discussed by the IWC at its current meeting in Puerto Vallarta, Mexico. At this meeting, the United Kingdom delegation is seeking to ensure that the IWC plays a leading role in the development of this growing new industry, which represents an important new way of utilising whale resources.

Mr. Jim Cunningham: To ask the Minister of Agriculture, Fisheries and Food (1) whether she intends to put pressure on the Norwegian Government at the International Whaling Commission in Puerto Vallarta between 23 and 27 May;

(2) what further action she plans if Norway continues to ignore the International Whaling Commission moratorium on whaling.

Mr. Jack: Norway is well aware of the United Kingdom Government's strong opposition to its decision to resume commercial whaling. This has been made clear to the Norwegian Government on numerous occasions and at the highest levels. Although Norway is not legally bound by the IWC moratorium on commercial whaling as, under IWC rules, it lodged an objection to the original decision taken in 1982, I can assure the hon. Gentleman that we shall continue to urge Norway, at the IWC meeting and beyond, to respect fully the terms of the moratorium.

Mr. Jim Cunningham: To ask the Minister of Agriculture, Fisheries and Food (1) what figures she has for the current levels of International Whaling Commission protected stock;

(2) if she will review the levels of internationally protected stock, particularly the minke whale; and if she will make a statement.

Mr. Jack: Whale stocks are currently classified by the IWC under the terms of its obsolete new management procedure—NMP. The revised management scheme—RMS—on which the IWC is now working and which incorporates a revised management procedure—RMP—would, if adopted, replace the NMP and would no longer require the formal classification of whale stocks. If the RMP were implemented, zero catch limits would apply to stocks estimated at below 54 per cent. of their pre-exploitation levels. This would be likely to cover the great majority of species of "great" whale.

The IWC currently estimates the stock of minke whales in the Antarctic to number some 750,000 animals. In the north-east Atlantic the most recent estimate available for minke whales, produced by Norway, is of around 87,000 animals; that estimate is currently under review by the IWCL's scientific committee. The position on minke whales in the north Pacific is less clear, as uncertainty exists over stock identities.

Mr. Jim Cunningham: To ask the Minister of Agriculture, Fisheries and Food when the long-term research project at the sea mammal research unit on the effect of environmental change on whales will be complete.

Mr. Jack: The project being funded by my Department at the sea mammal research unit to assess the effects of environmental change on whale populations began in April 1993 for an initial period of three years. The project is therefore due for review in April 1996.

DEFENCE

D-day

Ms Mowlam: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Normanton (Mr. O'Brien) of 10 May 1994, *Official Report*, column *127*, what representatives of Opposition parties have been invited to the events his Department is organising to commemorate the 50th anniversary of the D-day landings.

Mr. Hanley: The following representatives of opposition parties have been invited:

The Rt. Hon. Mrs. Margaret Beckett
The Rt. Hon. James Molyneux
The Rt. Hon. Stanley Orme
Mr. John Home Robertson
Mr. Frank Cook
Mr. Eddie Loyden
Mr. Don Dixon
Mr. Archie Kirkwood
Rev. Martin Smyth
The Rt. Hon. Paddy Ashdown
Mr. John Denham
Mr. Bruce George
Mr. John McWilliam
Mr. Menzies Campbell CBE QC
Mr. Andrew MacKinlay
The Rt. Hon. Sir David Steel KBE
Mr. William Ross
Mr. Ken Maginnis

Private Members' Bills

Ms Lynne: To ask the Secretary of State for Defence on what occasions since April 1992 Ministers from his Department have *(a)* requested parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Hanley: There have been no such occasions.

Departmental Housing

Mr. Steen: To ask the Secretary of State for Defence how many empty houses and flats are currently in his ownership within the city of Plymouth boundaries; what steps he will be taking to dispose of them; and if he will make a statement.

Mr. Hanley: As at 31 March 1994, my Department owned 301 vacant houses and flats within the city of Plymouth, of which 296 were service married quarters and five were civilian houses. The majority of those properties were undergoing major maintenance work or were already allocated to service families, and some were in the process of being sold. Where there is no long-term requirement, it is our policy to offer properties for sale to service personnel at a discount, to housing associations or on the open market.

Royal Dockyards

Mr. Jamieson: To ask the Secretary of State for Defence if he will place in the Library a copy of the invitation to tender for the sale of Devonport and Rosyth royal dockyards.

Mr. Aitken: The invitations to tender for the royal dockyards will contain commercially confidential material. It will not therefore be possible to place copies in the Library.

Mr. Jamieson: To ask the Secretary of State for Defence if he will make it his policy that the contracts of employment of current employees at Devonport and Rosyth royal dockyards will not be changed after privatisation without the agreement and consent of the employees.

Mr. Aitken: The contracts of employment of current employees of Devonport Royal Dockyard plc and Rosyth Royal Dockyard plc are entirely a matter for the dockyard companies and their employees. The present terms and conditions will continue to apply after the proposed sale of the royal dockyards unless and until changes are agreed between the company then owning each dockyard and its employees or the contracts of employment are terminated.

Mr. Jamieson: To ask the Secretary of State for Defence what is the total cost of the redundancy liability for the work force at each of Devonport and Rosyth royal dockyards.

Mr. Aitken: As the Government plan to continue with two royal dockyards, this is a hypothetical issue. The costs that would be incurred in meeting such a severance liability could be determined only in the full knowledge of all the relevant circumstances applying at the time. Estimates have, however, been made by the Government Actuary, on the basis of information provided by the dockyard contractors, which indicate that the total severance liability for the work forces at Devonport and Rosyth royal dockyards as at 31 March 1994 would have been some £147 million and £101 million respectively, based on the theoretical situation of all staff being made redundant on that date.

Mr. Jamieson: To ask the Secretary of State for Defence when he expects his Department to apply for planning permission for the Trident refit facility at Devonport royal dockyard.

Mr. Aitken: This is currently scheduled for August 1994.

Attack Helicopter

Mr. Davidson: To ask the Secretary of State for Defence when he expects an order being placed for an attack helicopter for the armed forces; how many he intends to purchase; and if he will make a statement.

Mr. Aitken: The assessment of the bids received last November in response to the attack helicopter competition is currently under way and the fuller bid from Atlas Aviation is due at the end of September. A final decision is expected in spring of next year and the contract is expected to be in place with the successful contractor by the middle of next year. We intend to order about 90 aircraft, although precise numbers have yet to be determined.

Trident

Ms Rachel Squire: To ask the Secretary of State for Defence (1) if he will break down the costings involved in the quoted cost of the Trident refitting facilities at Devonport;

(2) what additional costs his Department has identified to the figures so far given for the Trident refitting at Devonport; and what is his estimate of the final cost of the contract.

Mr. Aitken: I refer the hon. member to annexe A of the consultation document "The Royal Dockyards—Future Arrangements for Ship Refitting" issued by my Department on 8 July 1993, and also to my written answer of 15 March 1994, *Official Report*, column *655*. The detailed composition of the quoted cost is commercially confidential.

Ms Rachel Squire: To ask the Secretary of State for Defence if he will make a statement about the progress made on negotiating the Trident refitting contract with DML.

Mr. Aitken: Contractual arrangements for the refitting of Trident submarines will be a matter for negotiation with the successful bidder for Devonport royal dockyard.

Ms Rachel Squire: To ask the Secretary of State for Defence what steps will be taken to manage closely the fixed-price contract to be placed with DML for Trident refitting facilities.

Mr. Aitken: All necessary steps will be taken to ensure that the project proceeds to time and cost.

Eurofighter

Mr. Davidson: To ask the Secretary of State for Defence what is the expected cost of Eurofighter per unit indicating the variations depending on the numbers ordered; and if he will make a statement.

Mr. Aitken: On the basis of our declared offtake of 250 aircraft out of a production run of 602 aircraft, the current estimated unit production cost is £34 million at 1993 prices.

The unit production cost will vary according to the number of aircraft ordered by each of the four partner nations, the work sharing ratio and the contract prices negotiated.

Mr. Davidson: To ask the Secretary of State for Defence what is the cost of Eurofighter's development programme to date; what assessment he has made of the reasons for the cost overruns; and if he will make a statement.

Mr. Aitken: The project cost is reviewed annually. As reported in MOD's major projects report 1993 the development cost was estimated at that time at £3,463 million at 1993 prices. That represents an increase of some £570 million since the project was originally approved. Of this, some £450 million is due to German withdrawal from certain equipments, higher than expected equipment costs and the estimated cost of the reorientated development programme. The remainder reflects a reassessment of the estimated development costs between the dates of ministerial approval—April 1988—and the prices negotiated before the start of development—November 1988. The cost increases are unwelcome but not unexpected for a collaborative project of this complexity and technical sophistication. Negotiations are still in progress with industry over the cost of the reorientated development programme. A new estimate reflecting the expected outcome of these negotiations should be available soon.

Public Bodies

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the Dartmoor steering group and working party.

Mr. Hanley *[holding answer 28 January 1994]:* The members of the Dartmoor steering group and working party are as follows:

Sir Anthony Barrowclough Kt QC *(Chairman)*
Mr. P. L. Combes
Councillor R. A. Cook
Lieutenant General A. A. Dennison-Smith MBE
Mr. P. D. Girling
Mr. R. F. T. Halliday
Mr. N. J. Neath
Mr. R. Iles
Mr. H. Kirby
Dr. D. J. Townshend
Colonel J. G. O'N Wells-Cole OBE
Councillor J. P. Wigmore

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the independent board of visitors for military corrective training centre and Royal Navy detention quarters.

Mr. Hanley *[holding answer 28 January 1994]:* The members of the independent board of visitors for the military corrective training centre and the Royal Navy detention quarters are as follows:

Mr. C. P. Barlow
Miss M. Beattie, MBE, JP, DL
Mr. J. Cann, MP
Mr. J. Denham, MP
Mr. P. Holmes, JP, FCIS
Mr. Lindsey, JP
Mr. D. Martin, MP
Mr. J. W. Pettinger
Mr. T. W. Souter, Dip TP, FRTPI
Mrs. J. Tweed, JP
Brigadier J. Whitehead (Retired)
Dr. D. Withnall, MBBD, MRCGP

Imphal Barracks

Mr. Bayley: To ask the Secretary of State for Defence, pursuant to his answer of 22 April, *Official Report*, column *394*, about the number of square feet of office space of Imphal barracks to be released by the move of Army manning and records offices to Glasgow, what is the notional rental value of this office space per square foot; and what is the notional rental value per square foot of the new office accommodation for Army manning and records staff in Glasgow.

Mr. Hanley *[holding answer 12 May 1994]:* The office accommodation at Imphal barracks is located within the barrack area and, for security reasons, it could not therefore be leased or otherwise disposed of. The question of a notional rental value is therefore not relevant. The investment appraisal for the Army personnel centre did, however, include an opportunity cost, which represented a notional rental value for that part of Kentigern house which would otherwise have been occupied by the APC. Because of commercial confidentiality, this figure cannot be released.

TRADE AND INDUSTRY

ECOCON Ventures

Mr. C[illegible]bell-Savours: To ask the President of the Board of Trade which Ministers in his Department met representatives of ECOCON Ventures and on what dates, in the last 12 months.

Mr. Heseltine: No such meetings have taken place.

Insolvency Service

Mr. Campbell-Savours: To ask the President of the Board of Trade on what date Stoy Hayward Consulting was given copies of documentation on the privatisation of *(a)* the Insolvency Service and *(b)* all other Government services.

Mr. Heseltine: Stoy Hayward carried out a study of the potential for involving the private sector more in the mechanical, processing tasks of official receivers following an invitation to bid issued in July 1993. Its remit did not extend to any other Government services.

Mr. Campbell-Savours: To ask the President of the Board of Trade when reports on the privatisation of the Insolvency Service were made available by his Department to Ian Greer Associates.

Mr. Heseltine: Stoy Hayward produced a report relating to the Insolvency Service. My Department did not make this available to Ian Greer Associates. A summary of the report was supplied to Insolvency Service staff and trade unions and was placed in the Libraries of both Houses. It has also been made available for public inspection in the DTI's Library.

Mr. Campbell-Savours: To ask the President of the Board of Trade what discussions have taken place between Ministers and representatives of Ian Greer Associates on the question of the privatisation of the Insolvency Service and other Government services.

Mr. Heseltine: No discussions have taken place between Ministers in the DTI and representatives of Ian

Greer Associates on the question of private sector involvement in the work of the Insolvency Service. Nor, as far as I am aware, have any such discussions taken place in relation to any other Government services.

Mr. Fraser: To ask the President of the Board of Trade if he will now place in the Library the consultants' report on the privatisation of the Insolvency Service.

Mr. Heseltine: The purpose of Stoy Hayward's study was to examine the ways in which official receivers may concentrate more on their investigatory role by involving the private sector to a greater extent in the mechanical processing work in insolvencies. I do not propose to place the full consultants' report in the Library of the House. The summary already in the Library of the House has been agreed by Stoy Hayward as a fair reflection of its report.

Mr. Flynn: To ask the President of the Board of Trade if he will list all those organisations *(a)* inside and *(b)* outside Government that have had sight of his Department's report on the future of the Insolvency Service.

Mr. Heseltine *[holding answer 18 May 1994]:* The full report of Stoy Hayward's work on the potential for involving the private sector more in the mechanical, processing tasks of official receivers was seen by DTI Ministers and their immediate staff; relevant Insolvency Service and DTI officials; members of the agency steering board; and relevant Ministers and officials in the Office of Population Censuses and Surveys and HM Treasury.

A summary of the report was placed in the Libraries of both Houses and also in DTI's library for inspection.

Coal Research Establishment

Mr. Nigel Jones: To ask the President of the Board of Trade what plans he has regarding the future of the Coal Research Establishment; and if he will make a statement.

Mr. Eggar: The future of the Coal Research Establishment is a matter for British Coal.

Atomic Energy Authority

Mr. Chris Smith: To ask the President of the Board of Trade if he will make a statement on the prospects of privatising the National Environmental Technology centre in the light of the conclusions of the privatisation review of the Atomic Energy Authority.

Mr. Eggar: I announced on 17 February 1994, *Official Report,* columns 922-24, the Government's intention to privatise the business activities in the AEA's new commercial division—since renamed "AEA Technology" —and that decisions on the form of privatisation would be taken in due course. The National Environmental Technology centre is part of AEA Technology and, as such, is included within the terms of that announcement.

Mr. Chris Smith: To ask the President of the Board of Trade what the closure of Warren Springs laboratory and creation of the National Environmental Technology centre has cost to date.

Mr. Heseltine: The final accounts for Warren Spring Laboratory are in preparation however the net result to date of the closure of the Stevenage site and the creation of the National Environmental Technology centre is expected to be a benefit to the Exchequer of £11 million.

Mr. Llew Smith: To ask the President of the Board of Trade what is the total volume of radioactive waste delivered, in each year since 1979, to *(a)* AEA Technology and *(b)* British Nuclear Fuels sites under the Radioactive Substances (Waste Closed Sources) Exemption Order 1962.

Mr. Eggar: The volumes of these wastes received by UKAEA under the national disposal service between 1979 and 1993 were:

Year	*Cubic metres*
1979	6·00
1980	6·00
1981	6·00
1982	6·00
1983	6·00
1984	7·86
1985	4·23
1986	7·02
1987	6·01
1988	5·43
1989	5·24
1990	2·67
1991	7·45
1992	13·90
1993	20·02

BNFL has received about 0·05 cubic metres of such wastes over the whole of the period.

Competition

Mr. Etherington: To ask the President of the Board of Trade when his departmental officials last met representatives of the European Commissioner responsible for competition; and what matters were discussed.

Mr. Neil Hamilton: My officials are in regular and frequent contact with the competition directorate-general of the European Commission to discuss a wide range of issues.

Inquiries

Mr. Austin Mitchell: To ask the President of the Board of Trade (1) when the inspectors to inquire into the affairs of Medway Secondary Metals Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(2) when the inspectors to inquire into the affairs of British Anzani plc were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(3) when the inspectors to inquire into the affairs of Bank Street Securities Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(4) when the inspectors to inquire into the affairs of Link Service Stations Ltd. were appointed; when their inquiry was completed; what are the business connections

of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(5) when the inspectors to inquire into the affairs of Graylaw Holdings Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

Mr. Neil Hamilton: Elizabeth Appleby, QC and Peter Wilfred Foss, FCA of Moores Rowland were appointed inspectors in all the companies referred to by the hon. Member. The additional information requested by the hon. Member appears in the table. The same inspectors were also appointed in a related company, Pennine Commercial Holdings plc, where because of criminal proceedings, no final report has yet been signed. When the Pennine Commercial Holdings report has been completed, publication of all reports will be considered.

Company	*Date of appointment of inspectors*	*Date of report*	*Cost (£)*
Link Service Stations Ltd.	11 March 1983	28 November 1989	Accountant = 598,205 Lawyer = 147,439 Total = 745,644
Graylaw Holdings Ltd.	11 March 1983	28 November 1989	
British Anzanie plc	11 March 1983	28 November 1986	
Bank Street Securities	4 October 1983	28 November 1989	
Medway Secondary Metals Ltd.	16 February 1984	21 October 1987	

Mr. Austin Mitchell: To ask the President of the Board of Trade when the inspectors to inquire into the affairs of Euroseas Securities Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports.

Mr. Neil Hamilton: Mr. M. A. F. Lyndon Stanford QC and Mr. B. A. Kemp FCA of Saffery Champness were appointed on 4 September 1980. They reported on 5 March 1985 and it was decided in 1987 not to publish their report. The cost of the inspection was £399,741. A breakdown of this figure is no longer available.

Imports (China)

Mr. Flynn: To ask the President of the Board of Trade what goods or materials the United Kingdom Government import from China.

Mr. Needham: Information on United Kingdom imports from China is regularly published in "Overseas Trade Statistics of the United Kingdom." Copies of this publication are available in the Library of the House. Sources of purchases by the Government are not monitored.

Mr. Flynn: To ask the President of the Board of Trade what advice or information he has given United Kingdom companies importing from China about the use of labour camps in the production of Chinese goods and materials.

Mr. Needham: I have given no specific advice or information. However, with limited exceptions, the importation into the United Kingdom of goods produced in any foreign prison or like establishment is banned by the Foreign Prison-Made Goods Act 1897, as amended in 1988. Enforcement of the Act is a matter for HM Customs and Excise, which depends on receiving sufficient evidence, specific to the consignment concerned.

Small Company Audit

Mr. Stern: To ask the President of the Board of Trade when he expects to issue regulations in respect of the abolition of the small company audit; and when they will come into effect.

Mr. Neil Hamilton: My Department has issued a draft of the statutory instrument and invited public comment on the text by 10 June 1994. We intend the legislation to enter into force this summer.

NATIONAL HERITAGE

National Railway Museum

4. **Mr. Bayley:** To ask the Secretary of State for National Heritage if he will make a statement about the recent departure of the head of the national railway museum.

Mr. Sproat: The National Heritage Act 1983 lays the responsibility for the management of the national museum of science and industry on its trustees. The new head of the national railway museum, Mr. Andrew Scott, has now been appointed, and I wish him and the museum every success.

D-day

17. **Mr. Hawkins:** To ask the Secretary of State for National Heritage what arrangements are being made to support the commemoration of the [illegible]0th anniversary of D-day in the north of England, with pa[illegible]ular reference to the recognition of the role played by [illegible] of Lancashire regiments in the invasion.

Mr. Sproat: My Department has been in regular touch with the D-day committee in Blackpool to discuss promotion of its commemorative events. These were included in the list of D-day events published at the launch in April of the nationwide programme of popular events.

Tourism

18. **Mr. Robert Banks:** To ask the Secretary of State for National Heritage what consultations he has had about improving training for jobs in the tourist industry; and if he will make a statement.

Mr. Sproat: Department of National Heritage Ministers and officials regularly consult with the tourism industry, the English tourist board and other relevant bodies on all tourism issues, including training. Indeed, as my hon. Friend is aware, I met the chairman of the Academy of Food and Wine service earlier this year to learn more about the open learning material that it has developed to train those working within the hospitality industry.

Mr. Barry Field: To ask the Secretary of State for National Heritage what is his policy for tourism; and if he will make a statement.

Mr. Sproat: The objectives of the Government's tourism policy are, as set out in my Department's annual report, to create the conditions which will encourage inward and domestic tourism so that the industry can make its full contribution to the economy; and increase opportunities for access to our culture and heritage.

Gardening

19. **Dr. Spink:** To ask the Secretary of State for National Heritage what help and encouragement his Department gives to the promotion of gardening as *(a)* a leisure pursuit and *(b)* part of the nation's heritage.

Mr. Sproat: Gardening is one of the most popular leisure pursuits. The Department has responsibility, through the Royal Parks Agency, for the royal parks, which contain some nationally famous gardens, providing inspiration, if not help and encouragement, to the gardener.

English Heritage maintains a register of historic parks and gardens and provides grants for their conservation. My Department is also grant-aiding projects being undertaken by the Garden History Society and the National Council for the Conservation of Plants and Gardens.

Orchestral Concerts

20. **Mr. Barry Jones:** To ask the Secretary of State for National heritage how many regional orchestral concerts he has attended.

Mr. Brooke: Over the past two years I have had the pleasure of attending 11 orchestral concerts in London and around the country. Only this month, my hon. Friend the Under-Secretary attended a concert in Liverpool which he greatly enjoyed.

Cross-media Ownership

21. **Mr. Mullin:** To ask the Secretary of State for National Heritage what plans he has for reviewing the regulations governing cross-media ownership; and if he will make a statement.

Mr. Brooke: I announced on 3 January that I would be reviewing the rules which restrict cross-media ownership. Officials will make recommendations to Ministers this summer. The timing of an announcement about the outcome will depend on a number of factors, including the nature of those recommendations and any legislative implications.

Television Licences (Pensioners)

22. **Mr. Winnick:** To ask the Secretary of State for National Heritage what most recent consultations he has had over the television licence fee for pensioners.

Mr. Brooke: The Government have historically received a number of requests for pensioners to be given free or reduced-rate television licences, regardless of the ability to pay. The Government are sympathetic to pensioners but do not consider the licence fee a suitable instrument of social policy.

Sport (Disabled People)

23. **Mr. Patchett:** To ask the Secretary of State for National Heritage what role his Department is undertaking in promoting sport for the disabled.

Mr. Sproat: In 1993-94, the Sports Council provided grants totalling £469,000 to the British Paralympic Association, the British Sports Association for the Disabled and the United Kingdom Sports Association for People with Mental Handicap. The council also works closely with the governing bodies of sport to assist them to become more involved in this area of sport. In addition, disabled sport has benefited from a number of sportsmatch grants.

Press Regulation

24. **Sir David Knox:** To ask the Secretary of State for National Heritage when he proposes to publish his White Paper on the regulation of the press.

Mr. Brooke: As soon as we have completed our consideration of the issues surrounding the proposed civil remedy and criminal offences. I cannot yet say when that will be.

Museums and Galleries

25. **Mr. Spring:** To ask the Secretary of State for National Heritage what information he collates regarding visitor satisfaction with the national museums and galleries.

Mr. Sproat: Information on levels of satisfaction of visitors to the national museums and galleries is collected by the institutions themselves. My Department does not routinely collect such data. I was, however, pleased to learn from the 1993 National Audit Office report "Quality of Service at the National Museums and Galleries" that, at the five national museums and galleries examined, the overall quality of service was high: 98 per cent. of the visitors surveyed were satisfied or very satisfied.

Mr. Cormack: To ask the Secretary of State for National Heritage what improvements have been made to the national galleries in the last six months.

Mr. Sproat: All the national museums and galleries sponsored by my Department undertake a continuous programme of improvements. Notable among the many improvements which have taken place over the past six months are the opening of a new archive and library extension and new gallery at the national portrait gallery, the completion of the latest phase of re-roofing of the Waterhouse building housing the natural history museum, the opening of the new glass gallery at the Victoria and Albert museum and the recently completed phase of stonework and roof repairs at the British museum.

In addition, all national museums and galleries strive continuously to improve their services to visitors, collection management and general efficiency.

Further information on the activities of each of the national museums and galleries is published in my Department's annual report and in the triennial reports published by the institutions themselves.

Privacy

26. **Sir Michael Neubert:** To ask the Secretary of State for National Heritage when he next expects to meet the European counterparts to discuss measures to limit invasions of personal privacy by the media.

Mr. Brooke: I have no plans for any such meetings at present but I will be attending the Culture Council next month.

BBC

27. **Dr. Liam Fox:** To ask the Secretary of State for National Heritage what consideration he is giving to efficiency improvements in the BBC in the context of the renewal of the BBC charter.

Mr. Brooke: I am taking account of the BBC's continuing efforts to operate more cost-effectively in developing proposals for the corporation's future. Independent consultants, Touche Ross, reporting to me last year, concluded that the BBC has pursued opportunities to make savings and efficiency improvements in a vigorous and effective manner. The BBC is taking further measures to improve its efficiency.

Outdoor Education Centres

28. **Mr. Jamieson:** To ask the Secretary of State for National Heritage what representations his Department has received regarding the code of practice for outdoor education centres.

Mr. Sproat: Since the hon. Member's question on the accreditation of outdoor centres on 18 April, *Official Report*, column *624*, I have received one representation, which was from the hon. Member.

Sports Council

Ms Mowlam: To ask the Secretary of State for National Heritage what additional administrative expenses will be incurred by the Sports Council in respect of its distribution of 20 per cent. of the national lottery distribution fund.

Mr. Brooke: The staffing, accommodation and IT requirements of the Sports Council in processing lottery applications are currently being costed. Directions issued to the Sports Council under section 26(3) of the National Lottery etc. Act 1993 will require it to secure value for money in the administration of lottery funds.

International Sporting Events

Mr. Harry Greenway: To ask the Secretary of State for National Heritage what action the Sports Council has taken and is taking to attract major international sporting events to the United Kingdom.

Mr. Sproat: The Sports Council assists national governing bodies of sport in attracting major international sporting events. The council has established a major events support group which will hold its inaugural meeting next month. This will provide practical guidance and technical advice on the various tasks and costs involved in bidding for and staging major events. The Sports Council has provided £560,000 in support of a number of major events being held in the United Kingdom this year.

Television Reception

Mr. Hendry: To ask the Secretary of State for National Heritage what information he has on communities of more than 200 people in England which cannot obtain reasonable reception of television programmes.

Mr. Brooke: I understand that there are around 210 communities of 200 or more people in England which do not have a reasonable reception of terrestrial television services.

Mr. Hendry: To ask the Secretary of State for National Heritage what proportion of the population of England is unable to receive a reasonable reception of television programmes.

Mr. Brooke: I understand that about 0·4 per cent. of the population of England do not have a reasonable reception of terrestrial television services.

National Lottery

Sir Fergus Montgomery: To ask the Secretary of State for National Heritage how many organisations have expressed an interest in running the national lottery.

Mr. Brooke: The Director General of the National Lottery has received eight applications for the section 5 licence to run the national lottery in response to the invitation to apply that he issued on 21 December 1993.

Beaches

Mr. Flynn: To ask the Secretary of State for National Heritage what assessment he has made of the impact of unclean beaches on *(a)* the internal and *(b)* the external tourist trade.

Mr. Sproat *[holding answer 20 May 1994]:* The Government are aware of the current concern about unclean beaches and of the importance of clean beaches to encourage the tourist trade to resort areas. It is naturally in the resorts' interest to work towards cleaner and more accessible beaches. This is recognised in part by the Department of the Environment's commitment to the Tidy Britain Group.

The TBG administers the United Kingdom seaside awards. Its primary functions are to help raise standards of cleanliness, hygiene and environmental management at beaches and also to provide a comprehensive and free public information service for beach users. All seaside award resort beaches must meet 28 land-based criteria—fewer for rural beaches—as well as attaining at least the mandatory water quality laid down by the EC directive on bathing water. A premier seaside award indicates guideline water quality—better than the mandatory standard—as well as the fulfilment of all land-based criteria. Some 137 beaches in the United Kingdom received seaside awards in 1993.

As the awards suggest, there is a serious commitment to ensuring the cleanliness of beaches. It is estimated that around 50 per cent. of Britons holidaying in the United Kingdom take their breaks at seaside resorts. This demonstrates the continuing appeal of the traditional seaside holiday and is something which the English tourist board has encouraged in the past few years by promoting resorts through its seaside campaign. Statistics on the number of overseas visitors who go to seaside resorts are not available.

ENVIRONMENT

Housing Corporation Expenditure (North Yorkshire)

Mr. Bayley: To ask the Secretary of State for the Environment how much was spent in North Yorkshire by the Housing Corporation in 1993-94; and what is its budget for North Yorkshire in 1994-95.

Sir George Young: In 1993-94, the Housing Corporation spent £15,764,153 in North Yorkshire.

The Housing Corporation cannot, at this stage, give an exact figure for the 1994-95 budget for North Yorkshire. However, the total cost of housing association schemes which the Housing Corporation expects to approve in North Yorkshire in 1994-95 is £11,926,000; approximately half of this is expected to be spent in 1994-95. In addition, the corporation forecasts that in 1994-95 they will spend £8,147,000 on existing schemes in North Yorkshire. Therefore, the total Housing Corporation budget for North Yorkshire in 1994-95 is estimated to be in the region of £14 million.

"This Common Inheritance"

Mr. Llew Smith: To ask the Secretary of State for the Environment how many copies of the third year report on the environmental White Paper "This Common Inheritance" (Cm 2549) have been published; at what cost; to whom copies have been distributed; and if he will make a statement.

Mr. Atkins: HMSO published 6,000 copies. The Department of the Environment purchased 2,000 of those and the remainder are on sale from HMSO. So far, the Department has distributed about 1,700 copies to Parliament, overseas Governments, central Government Departments and agencies, local authority associations, businesses and a wide range of special interest groups and academic institutions. At present, the estimated total cost to Government including both direct payment to the Department's designers and purchase from HMSO is about £52,000. In addition, we produced a summary not for publication but for free distribution.

Development Programme

Mr. Frank Field: To ask the Secretary of State for the Environment if he will list the total amount of moneys in the approved development programme since its inception at *(a)* cash prices and *(b)* current prices.

Sir George Young: Housing associations, funded through the Housing Corporation, are now the main providers of new social housing. Below is the total amount of moneys in the Housing Corporation's approved development programme, gross, in cash and current prices for each year since its inception in 1981-82.

	Cash prices *£ million*	*Current (ie. 1993-94) prices* *£ million*
1981-82 ADP	520·5	959·0
1982-83 ADP	755·3	1,300·2
1983-84 ADP	734·0	1,207·7
1984-85 ADP	696·7	1,090·5
1985-86 ADP	710·8	1,051·0
1986-87 ADP	714·7	1,023·6
1987-88 ADP	751·7	1,035·7
1988-89 ADP	791·3	1,028·2
1989-90 ADP	935·2	1,127·2
1990-91 ADP	1,062·7	1,168·4
1991-92 ADP	1,585·7	1,664·5
1992-93 ADP	1,780·2	1,810·9
HMP[1]	591·0	601·2
1993-94 ADP	1,859·2	1,859·2
Total	13,489·0	16,927·3
1994-95 ADP	1,514·9	n/a

[1] Housing Market Package

In addition, between 1987-88 and 1994-95 the approved development programme has levered in over £3·6 billion in private finance.

Portable Telephones

Mr. Vaz: To ask the Secretary of State for the Environment, pursuant to his answer of 6 May, *Official Report*, column *650*, what was the cost of calls made on *(a)* car and *(b)* portable telephones in 1993-94.

Mr. Baldry: The cost of calls for car and portable telephones for each business unit is included with those of the other telephone services and, regrettably, could be obtained only at disproportionate cost.

Local Authority Housing

Mr. Frank Field: To ask the Secretary of State for the Environment if he will list the housing capital expenditure of all local authorities in each year since 1980-81 at *(a)* cash prices and *(b)* current prices.

Sir George Young: Local authority gross housing capital expenditure in England, from 1980-81 to 1993-94, was:

£ million

	Cash	*[2]1993-94 prices*
1980-81	2,729	5,669
1981-82	2,632	4,985
1982-83	3,235	5,719
1983-84	3,571	6,035
1984-85	3,501	5,633
1985-86	3,023	4,608
1986-87	3,017	4,469
1987-88	3,272	4,600
1988-89	3,604	4,749
1989-90	5,124	6,312
Present capital finance system		
1990-91	3,164	3,606
1991-92	2,818	3,021
1992-93	2,627	2,712
[3]1993-94	2,791	2,791

Notes:

[1] Figures include Urban Programme and City Challenge housing capital expenditure.

[2] Cash figures converted to 1993-94 price levels by excluding the effect of general inflation as measured by the GDP market prices deflator.

[3] Provisional.

Mr. Frank Field: To ask the Secretary of State for the Environment if he will list the total amount of moneys made available to all local authorities for housing capital expenditure in each year since 1980-81 through *(a)* capital grants and *(b)* borrowing approvals at (i) cash prices and (ii) current prices.

Sir George Young: Central Government capital provision for local authority housing capital expenditure in England, from 1980-81 to 1993-94, was:

£ million

	Capital grants[1]		*Borrowing approvals*[2]	
	Cash prices	*1993-94 prices*[3]	*Cash prices*	*1993-94 prices*[3]
1980-81	n/a	n/a	2,203	4,576
1981-82	n/a	n/a	1,795	4,000
1982-83	n/a	n/a	2,192	3,875
1983-84	n/a	n/a	2,233	3,774
1984-85	n/a	n/a	1,852	2,980
1985-86	135	206	1,605	2,446
1986-87	145	215	1,459	2,161
1987-88	147	207	1,400	1,968
1988-89	188	248	1,331	1,754
1989-90	326	402	1,095	1,349
Present capital finance system				
1990-91	293	334	1,558	1,776
1991-92	352	377	1,706	1,829
1992-93	423	437	1,541	1,591
[4]1993-94	413	413	1,367	1,367

New social housing in England is now mainly provided by housing associations rather than local housing authorities.

Notes:

[1] Outturn figures unless otherwise stated. Comprising specified capital grants and other housing capital grants. Before 1990, grants were paid to support loan charges incurred by local authorities in borrowing for the payment of private sector renewal grants. Estimates comparable with capital grants paid under the present system are available only for 1985-86 to 1989-90.

[2] Outturn figures unless otherwise stated. Including Estate Action which forms part of the Single Regeneration Budget for 1994-95 onwards. Figures for 1990-91 onwards comprise the housing contribution to authorities' all-service basic credit approvals and housing supplementary credit approvals. Figures for years before 1990-91 are on a comparable basis, comprising HIP allocations including retrospective borrowing approvals.

[3] Cash figures converted to 1993-94 price levels by excluding the effect of general inflation as measured by the GDP market prices deflator.

[4] Estimated outturn.

Mr. Battle: To ask the Secretary of State for the Environment if he will publish for each local authority *(a)* the amount spent on council housing repairs and maintenance and *(b)* the number of council-owned properties; and what was the average spent by local authorities on repairs and maintenance per council-owned property for each year since 1991-92.

Sir George Young: The information available to my Department from local authorities' returns has been placed in the Library. Based on those returns, my Department's estimates of the average amount spent on repairs and maintenance for the three years requested is £509, £545 and £595 per dwelling.

Local Government Reorganisation

Mr. Austin Mitchell: To ask the Secretary of State for the Environment, pursuant to his answer of 11 May, *Official Report,* column *170,* what increase in borrowing will be required to pay for the costs of local government reorganisation in Humberside; and what plans he has to indicate this at each stage of reorganisation as it is introduced into Parliament.

Mr. Curry: The amount of borrowing required will depend, among other things, on what new structure is adopted. The Local Government Commission, in its report on the options for reorganisation in Humberside, gives an analysis of the costs derived from local authority figures as a basis for decisions on the future structure. Following Parliament's decision, authorities that are to be reorganised will be asked to submit updated figures of the transitional costs and the savings and receipts that they estimate will arise each year. Those will provide the basis for annual limits on the amount of borrowing approvals that the Department will grant. The limits will be issued to authorities before the beginning of each financial year.

Mr. Mitchell: To ask the Secretary of State for the Environment, pursuant to his answer of 11 May, *Official Report,* column *120* (1) if he will set out the calculations of savings and receipts on which he bases his statement that borrowings and the interest payable thereon for the cost of local government reorganisation can be paid back;

(2) what assumptions he made when issuing an assurance on costs of local government reorganisation, on the levels of redundancy and transfer arrangements and costs; and when he will be in a position to give estimates of these costs.

Mr. Curry: The Government's policy guidance to the Local Government Commission asks it to take all feasible steps to assess all the costs and benefits of options being considered. Its estimates are based on figures provided by the local authorities and are published together with the Commission's recommendations. The estimates in the reports submitted to date show that in most cases the savings and receipts should be sufficient to pay back the transitional costs of reorganisation and interest. There would need to be exceptional non-financial benefits to justify approving a reorganisation for which the savings and receipts were not expected to pay off the transitional costs, including interest.

Radioactive Waste

Mr. Llew Smith: To ask the Secretary of State for the Environment what representations he has received from his Icelandic counterpart since 15 December 1993 in regard to the consents given to British Nuclear Fuels to open the thermal oxide reprocessing plant.

Mr. Atkins: The Secretary of State met with Icelandic Environment Minister on 23 March 1994. A number of subjects, including THORP, were discussed at that meeting.

Parish Polls

Mr. Gordon Prentice: To ask the Secretary of State for the Environment if he will list those parish polls which have been conducted since 1979, together with their subject matter in each case.

Mr. Baldry: This information is not held centrally.

Marine Conservation

Mrs. Maddock: To ask the Secretary of State for the Environment (1) if he will introduce legislation to allow Government agencies to regulate the activities of harbour authorities in marine nature reserves;

(2) if he will introduce legislation to allow Government agencies to control navigation and fisheries within the boundaries of marine nature reserves established under the Wildlife and Countryside Act 1981.

Mr. Atkins: The Government have no such plans for marine nature reserves. However, the Government will shortly be laying regulations which will provide for the selection, protection and management of special areas of conservation under the EC habitats directive. Those regulations will place a duty on harbour, navigation and fisheries authorities to undertake their responsibilities in accordance with the requirements of the directive in relation to such areas.

Mrs. Maddock: To ask the Secretary of State for the Environment if he will introduce legislation to protect vulnerable sea areas around the United Kingdom coast and to provide for their integrated management.

Mr. Atkins: The Government will shortly be laying regulations, under the European Communities Act 1972, which will provide for the selection, protection and management of special areas of conservation under the EC habitats directive. A number of those areas will be in the marine environment.

Last October, the Department of the Environment and the Welsh Office issued discussion papers on coastal management and control of development below the low-water mark, which looked at the broader issues relating to the management of the coastal zone. We are considering the responses.

Boreholes

Mr. Alex Carlile: To ask the Secretary of State for the Environment, pursuant to his answer of 17 May, *Official Report*, columns *395-6*, what is the legal liability for damage to neighbouring property of water authorities which are negligent in sinking boreholes, irrespective of powers conferred under the Water Industry Act 1991; and if he will make a statement.

Mr. Atkins: The legal position of a water undertaker which abstracts water from a borehole on the undertaker's own land, in circumstances where no abstraction licence or works order is required, is no different from the law applicable to any other landowner who lawfully abstracts water from land. English law distinguishes between two kinds of underground water: water flowing in a certain and definite channel and percolating water. Only water which flows in a known and definite channel can be the subject of property or riparian rights. Whereas at common law the owner of land has the right to have the surface of his land supported by minerals on or under his neighbour's land, there is no equivalent right to have the surface of his land supported by water; nor does he have any rights in respect of water running in undefined channels, except to sink wells and so obtain a supply of water.

Unless a duty of care is established there is no liability for negligence. Since the owner of land has no right of support from underground water flowing in undefined channels, he cannot show that a neighbouring landowner owes him a duty of care not to abstract that water and so remove support from his own land, unless the loss of support is due to the removal of minerals, such as wet sand, running silt or dissolved rock salt.

Sheffield City Council

Mr. Harry Greenway: To ask the Secretary of State for the Environment what is his decision on the final cap for Sheffield city council; and if he will make a statement.

Mr. Curry: My right hon. Friend has laid before the House a draft order, under section 57 of the Local Government Finance Act 1992, setting out our decision on the final cap for Sheffield city council, which had challenged its proposed cap and put forward a higher alternative. We have considered very carefully all the available relevant information, including the case made by the authority in support of a higher cap, before taking our decision. We have concluded that some relaxation in the proposed cap for Sheffield would be justified and have decided to increase its cap by £3 million.

The final cap for Sheffield is £381·65 million. This cap is, in our view, reasonable, appropriate and achievable in all the circumstances of Sheffield.

City-centre Investment

Sir Michael Neubert: To ask the Secretary of State for the Environment what plans he has to encourage new investment in town and city centres.

Mr. Curry *[holding answer 18 May 1994]:* Through our planning policy guidance and other publications, we are encouraging vital and viable town centres in which developers will want to invest. Success is likely to depend on partnerships bringing together the relevant public agencies and residents, retailers, property owners and investors to develop a positive strategy.

In addition, one aim of the city challenge initiative is to make city and town centres more attractive to businesses and residents. Town centre redevelopments are a significant element in approximately a third of city challenge partnerships. They should attract nearly £350 million in private sector investment to city and town centres.

The single regeneration budget can also support local proposals including measures which further encourage investment in town centres.

Bathing Water Directive

Mr. Flynn: To ask the Secretary of State for the Environment which beaches in England are classified as unsuitable for bathing.

Mr. Atkins *[holding answer 20 May 1994]:* None of our identified bathing waters are classified as unsuitable for bathing but bathers should heed local warnings provided on wind, wave and tidal conditions.

Mr. Flynn: To ask the Secretary of State for the Environment what assessment he has made of the progress of the National Rivers Authority in complying with the European bathing water directive.

Mr. Atkins *[holding answer 20 May 1994]:* The NRA continues to report on a steady improvement in compliance. In 1993, four out of five bathing waters in England and Wales were better than the relevant EC standards. There are schemes under way to bring virtually all the remainder up to standard by the end of next year.

Vehicle Emissions

Mr. Nigel Evans: To ask the Secretary of State for the Environment what assessment he has made of the contribution petrol containing the detergent petrol additives which are able to clean the combustion chamber as well as the intake valves and the fuel injectors will make towards the Government's overall aim of improving air quality in the United Kingdom; and if he will recommend the use of such petrol by the public sector, including the Government car service.

Mr. Atkins *[holding answer 20 May 1994]:* None. The British standard for petrol does permit the use of performance enhancer additives but it is up to the individual oil company to substantiate such claims.

Mr. Nigel Evans: To ask the Secretary of State for the Environment what assessment he has made of the effect of the adoption of petrol containing the detergent petrol additives which clean the combustion chamber as well as the intake valves and the fuel injectors on the level of vehicle emissions.

Mr. Atkins *[holding answer 20 May 1994]:* None.

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Written Answers to Questions

Tuesday 24 May 1994

LORD CHANCELLOR'S DEPARTMENT

Lloyd Pacifico

Mr. Mackinlay: To ask the Parliamentary Secretary, Lord Chancellor's Department how long and in what circumstances the Lloyd Pacifico has been arrested in the Port of Tilbury; and if he will make a statement.

Mr. John M. Taylor: The Lloyd Pacifico was arrested at Tilbury by the Admiralty marshal on 16 April 1994. The action was instituted by the Admiralty court on behalf of Reparacoes Navais Do Tejo LDA of Portugal in respect of a claim against a sister ship of the Lloyd Pacifico, the Rio Negro, for alleged unpaid costs of repairs carried out between October and December 1993 in the sum of US$677,000.

Mr. Mackinlay: To ask the Parliamentary Secretary, Lord Chancellor's Department how many seamen and ship's officers remain in the Port of Tilbury as a consequence of the arrest of the Lloyd Pacifico.

Mr. John M. Taylor: Thirty officers and crew are presently aboard the Lloyd Pacifico.

Mr. Mackinlay: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the entitlement of seamen serving on the Lloyd Pacifico to payment of wages.

Mr. John M. Taylor: The seamen are entitled to the payment of wages. If they are not receiving them, they may make a claim against the vessel through the court. Should the vessel be sold by the Admiralty marshal, the crew will have a high priority against the proceeds of the sale. If an order for sale is made, it is usual for the crew to be repatriated.

Mr. Mackinlay: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations have been made to the Government of Brazil about their obligations as owners of the Lloyd Brasileiro shipping line to the creditors of that company.

Mr. John M. Taylor: The Admiralty court has no knowledge of any such representations to the Brazilian Government.

Mr. Mackinlay: To ask the Parliamentary Secretary, Lord Chancellor's Department under what powers the Lloyd Brasileiro shipping line vessel, the "Lloyd Pacifico", is being detained at the port of Tilbury.

Mr. John M. Taylor: The Lloyd Pacifico is detained at the port of Tilbury under sections 20 (2) and 21 (4) (ii) of the Supreme Court Act 1981.

Mr. Mackinlay: To ask the Parliamentary Secretary, Lord Chancellor's Department what United Kingdom agencies have made contact with the seamen of the Lloyd Pacifico in order to ensure that their rights and welfare are protected.

Mr. John M. Taylor: The Admiralty marshall is in frequent contact with the vessel's agents at Tilbury on various matters including the crew's welfare. He has also met members of the crew to assure them that food and other necessary supplies would be provided for their comfort.

SCOTLAND

Tuberculosis

Ms Primarolo: To ask the Secretary of State for Scotland (1) how many deaths were from tuberculosis in each year since 1988;

(2) if he will give the number of notifications of tuberculosis in each year between 1987 and 1993.

Mr. Stewart: The information requested is set out in the tables.

Deaths from Tuberculosis in Scotland

Year	*Number*
1988	48
1989	56
1990	39
1991	56
1992	46
1993	[1]61

[1] Provisional figures.

Notifications of Tuberculosis in Scotland

Year	*Number*
1987	560
1988	528
1989	533
1990	563
1991	546
1992	559
1993	[1]554

[1] Provisional figures.

Mental Health Services

Ms Rachel Squire: To ask the Secretary of State for Scotland what action he intends to take on the recommendations of the health committee on the care of people who are seriously mentally ill.

Mr. Stewart: The Government are currently considering the report of the Select Committee on Health entitled "Better off in the Community? The care of people who are seriously mentally ill". The Select Committee did not address the situation in Scotland, but the Scottish Office will take its report into account in the development of policy concerning the care of the mentally ill.

Universities (Advertising)

Mr. Galbraith: To ask the Secretary of State for Scotland if he will list for each university the amount spent on advertising and promotion in the last year for which figures are available.

Lord James Douglas-Hamilton: This is a matter for each university or higher education institution to decide. The information requested is not collected or available centrally.

"Shaping the New Councils"

Mr. McFall: To ask the Secretary of State for Scotland, pursuant to his answer of 28 April, *Official Report*, column *324*, what restrictions were placed by Councillor William Petrie in respect of the publication of his response to the consultative document on local government.

Mr. Stewart: Councillor Petrie did not submit a response to the consultation paper "Shaping the New Councils".

Travellers

Dr. Godman: To ask the Secretary of State for Scotland (1) if he will list the interested parties he proposes to consult in relation to his review of the role, membership and functions of the Secretary of State's Advisory Committee on Scotland's Travelling People;

(2) if he will make a statement concerning his review of the work of the advisory committee on travellers in Scotland;

(3) what proposals he has to provide financial assistance to bona fide travellers' organisations to provide and develop sites where local authorities or landowners have been, or are, unable to offer such facilities during the last five years; and if he will make a statement.

Lord James Douglas-Hamilton: The review of the work of the advisory committee on Scotland's travelling people, to be undertaken before the committee's three-year term of office expires at the end of 1994, is in its very early stages, and no decisions have yet been taken about external consultation. The review will include consideration of grant assistance for the provision of sites.

Dr. Godman: To ask the Secretary of State for Scotland what was the capital budget and actual spend on the provision of grant aid for the establishment and modernisation of travellers' sites in *(a)* 1991-92, *(b)* 1992-93 and *(c)* 1993-94 and the estimated expenditure in the year 1994-95; and if he will make a statement.

Lord James Douglas-Hamilton: The information requested is as follows:

	(1) *Vote provision £ million*	*(2)* *Outturn £ million*
1991-92	2·327	1·850
1992-93	2·385	2·372
1993-94	2·445	[1]1·060
1994-95	2·506	[2]2·506

[1] Provisional.

[2] Estimated outturn.

The figures in column 1 represent the Department's best estimate in advance of each year of the value of work in progress during the year, or completed in previous years which will be subject to claims for payment by local authorities.

The figures in column 2 represent actual claims met during the year. Claims for payment can be affected by delays in the completion of work, in the submission of claims, in audit certification, and by agreed contractual retention moneys.

Community Care

Mr. Worthington: To ask the Secretary of State for Scotland what is the role of the Mental Welfare Commission regarding community care policies for the mentally ill; and what changes he is considering in this role.

Mr. Stewart *[holding answer 20 May 1994]:* The functions and duties of the Mental Welfare Commission for Scotland are set out in part II of the Mental Health (Scotland) Act 1984. The Act places a general duty on the commission to exercise protective functions in respect of mentally disordered people who are, or may be, incapable of adequately protecting their persons or interests. In the exercise of that duty, the commission is constantly monitoring the implementation of the community care policies as they affect individuals with a mental disorder.

TREASURY

Inland Revenue, Wakefield

Mr. Hinchliffe: To ask the Chancellor of the Exchequer if he will make a statement on the future of Inland Revenue offices in Wakefield.

Mr. Dorrell: Like the rest of the civil service the Inland Revenue has a strong commitment to achieving further significant improvements in service to the public, in operational effectiveness and in cost efficiency. To achieve these objectives the Revenue has embarked on a major programme of change. The first part of the programme is already under way and involves restructuring the Inland Revenue's local office network.

The controller of the South Yorkshire regional executive office is considering moving work from the tax office in Wakefield to a restructured office in Barnsley. The proposal is currently being evaluated to ensure that it is cost efficient and provides a good quality service to the public.

Mr. Hinchliffe: To ask the Chancellor of the Exchequer how many staff are employed by the Inland Revenue in Wakefield.

Mr. Dorrell: There are 72 staff employed by the Inland Revenue in Wakefield.

Mr. Hinchliffe: To ask the Chancellor of the Exchequer (1) what estimate he has of the costs which would be incurred in transferring Inland Revenue offices out of Wakefield;

(2) if he will make a statement on the future standard of services available for persons in Wakefield provided by the Inland Revenue.

Mr. Dorrell: Further detailed work is required before a decision can be made on this proposal, but preliminary estimates suggest that it offers considerable financial savings as well as the opportunity to offer a better quality service to the taxpayer.

Agricultural Compliance Unit

Sir Richard Body: To ask the Chancellor of the Exchequer what is his estimate of the number of gang masters operating in Lincolnshire in the last 12 months of which the agricultural compliance unit is aware.

Mr. Dorrell: The Inland Revenue's agricultural compliance unit is aware of about 700 gang masters based in Lincolnshire.

Tax Increases

Mrs. Roche: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 May, *Official Report*, column *224*, if he will specify the representations he has received since 1 April regarding increases in taxation.

Mr. Dorrell: I receive representations on many aspects of taxation. It would not be practicable to identify separately those concerned with increases in taxation.

Public Expenditure Survey

Ms Harman: To ask the Chancellor of the Exchequer if he will publish the Treasury guidelines to the 1994 public expenditure survey round.

Mr. Portillo *[holding answer 20 May 1994]:* No.

ENVIRONMENT

European Better Environment Awards

Mr. Llew Smith: To ask the Secretary of State for the Environment which United Kingdom companies were recognised in the European better environment awards for industry awards ceremony in Copenhagen on 9 May.

Mr. Atkins: A winner in the eco-product category was Pilkington Glass Ltd., St. Helens. Highly recommended United Kingdom entrants were: Stanhope Properties plc, London (Good Environmental Management category); Wade Furniture Ltd., Leeds (Environmental Technology Transfer category); and BEWT (Water Engineers) Ltd., Alcester, and Ricoh UK Products Ltd., Telford (both recovery of waste category). The United Kingdom's total of five finalists out of 18 finalists in all was the largest from any EU member state.

Non-domestic Rating

Mr. Straw: To ask the Secretary of State for the Environment how many appeals were outstanding against the 1990 non-domestic rating lists on 31 March in each year since 1991.

Mr. Gummer: The numbers of 1990 non-domestic rating appeals outstanding with English valuation tribunals each year on 31 March were—to the nearest thousand—582,000 in 1991; 558,000 in 1992; 412,000 in 1993; and 259,000—provisional figure—in 1994. These figures take account of all appeals received in valuation tribunals since the rating lists came into force.

Local Government Act 1992

Mr. Straw: To ask the Secretary of State for the Environment what representations he has received from *(a)* local authorities, *(b)* local authority associations, *(c)* the Audit Commission, *(d)* publishers of free newspapers and *(e)* others about the requirement in the Local Government Act 1992 to publish local authority performance indicators in a paid-for newspaper; and if he will make a statement.

Mr. Gummer: I have received a number of representations form local government, the Audit Commission, and others, including publishers of free newspapers, that the requirement of the Local Government Act 1992 for information on local authority performance indicators to be published in a paid-for newspaper should be modified to allow publication in free newspapers. We are concerned to ensure that information about an authority's performance has the widest possible circulation in the local community, and hence we are carefully considering these representations with the view, if necessary, of seeking at a convenient opportunity amending legislation to the 1992 Act.

Sizewell B

Mr. Llew Smith: To ask the Secretary of State for the Environment what new information he has received to update paragraph 15·4 of the third-year report of "This Common Inheritance", Cm. 2549, concerning the progress made in commissioning the Sizewell B nuclear plant.

Mr. Atkins: Her Majesty's chief inspector of pollution and the Minister of Agriculture, Fisheries and Food are undertaking public consultation on whether the operation of Sizewell B is justified; that is, whether any detriment from the discharge of radioactive waste would be outweighed by the overall advantage. The consultation began on 19 May and is due to finish on 16 June.

Radioactive Waste

Mr. Llew Smith: To ask the Secretary of State for the Environment what date he has set for receipt from the Radioactive Waste Management Advisory Committee, of its views on the options for waste substitution in the return of reprocessing radioactive waste to foreign countries of origin.

Mr. Atkins: I refer the hon. Member to the answer I gave him on 18 January, *Official Report*, column *567*.

Local Government (European Conference)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment who represented the Government at the 10th session of the conference of European Ministers responsible for local government in The Hague on 15 and 16 September 1993.

Mr. Baldry: My hon. Friend, the Minister for Local Government and Planning.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what assessment he has made of the report on local referendums prepared by the steering committee on local and regional authorities for the 10th conference of European Ministers responsible for local government.

Mr. Baldry: My hon. Friend, the Minister for Local Government and Planning, made it clear at the conference that it is for local authorities to decide for themselves whether to hold referendums on particular issues. This remains the Government's view.

DSS Hostels

Mr. Allason: To ask the Secretary of State for the Environment (1) what size of hotel will be required to register as a DSS hostel under the new regulations;

(2) when he expects to publish the new regulations concerning the registration of hotels and bed-and-breakfast establishments which now accommodate DSS benefit claimants;

(3) what criteria he will include when determining which bed-and-breakfast establishments will require registration;

(4) which Department will be responsible for the registration of DSS hostels.

Mr. Baldry: As my right hon. Friend, the Prime Minister indicated on 5 May, *Official Report*, column *843*, we are considering introducing a licensing scheme for hostels. We are currently considering how such a scheme might operate, and to which properties it might apply. Any scheme will require primary legislation.

Privatisation (Consultants)

Mr. Milburn: To ask the Secretary of State for the Environment, pursuant to his answer of 9 May, *Official Report*, column *70*, if he will provide such information as is available on the cost of employing consultants in connection with privatisation programmes.

Mr. Gummer *[holding answer 13 May 1994]:* The cost of employing consultants for privatisation is available centrally for only some programmes completed prior to 1992-93 and is approximately £26 million. All but £70,000 of this expenditure was due to the privatisation of the water authorities which generated net proceeds of £3,594·4 million. The remainder has been incurred in respect of the pending Docklands light railway privatisation.

DUCHY OF LANCASTER

E-mail

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster if he will publish the E-mail address of each Government Department and agency.

Mr. Waldegrave: Departments and agencies who wish to receive mail in any of the electronic forms currently available are able to include details in their entries in the list of ministerial responsibilities or the civil service year book, or in their own departmental material. It is for Departments and agencies to judge whether it is valuable to them to receive correspondence in this way.

Open Government

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster if he will develop plans to create more openness in Government by publishing Government press releases and other information on a free access electronic news or bulletin board system.

Mr. Waldegrave: The Central Office of Information's HERMES database of Government press releases is already available to the public via a number of on-line services. Charges for access are determined by the database hosts. I have no plans to examine the feasibility of setting up a bulletin board system for free public access. Distribution of press notices to the public is a matter for individual Government Departments.

Government Information

Mr. Lidington: To ask the Chancellor of the Duchy of Lancaster what arrangements have been made for the distribution of material publicising the code of practice on access to Government information.

Mr. David Davis: A leaflet has been produced explaining the operation of the code, giving a contact point for further information and mentioning the telephone inquiry service on 0345 223242.

To coincide with the launch of the code in April, the Central Office of Information wrote to public libraries, college and university libraries, citizen's advice bureaux, independent advice centres and law centres inviting them to stock the leaflet. By 17 May there had been a very encouraging positive response rate of 15 per cent. This means that 52,500 copies of the leaflet explaining how to apply for information under the code of practice have now been distributed to some 1,300 outlets.

NATIONAL HERITAGE

D-day

Ms Mowlam: To ask the Secretary of State for National Heritage what events his Department has itself organised to commemorate the D-day landings; what other events are included in the co-ordinated plans; and which Members of political parties have been invited to these events.

Mr. Sproat: In April, the Department of National Heritage arranged a launch of the popular programme of D-day commemorative events and a memorial in Grosvenor square to which members of the main Opposition parties were invited. It is organising a "Tribute to the Normandy Campaign" family day in Hyde Park on 14 August. An invitation list has not yet been drawn up, but members from the main parties will be included. There are some 700 separate events being organised by others in different parts of the country.

Sport

Mr. Menzies Campbell: To ask the Secretary of State for National Heritage what contribution his Department is making by way of finance and expertise in the development of sports coaching, sports science and sports medicine in the United Kingdom.

Mr. Sproat: These activities are not supported directly by my Department but by the Sports Council, which it sponsors. I understand that the principal planned Sports Council grants in 1994-95 are as follows:

	£ million
National Coaching Foundation	1·5
Sports Science	0·7
National Sports Medicine Institute	0·6

Television

Mr. Brandreth: To ask the Secretary of State for National Heritage what priority he intends to give to digital technology in relation to the licensing of future television services.

Mr. Brooke: The Government will continue to look at how best to take advantage of the opportunities this technology offers. Studies are continuing into the feasibility of launching an analogue Channel 5 without prejudicing the development of digital terrestrial television in the United Kingdom, and an announcement on this issue will be made before long. These studies are based on technical work which has recently become available. The relevant sentence in the "Competitiveness" White Paper is overtaken by this answer.

HOME DEPARTMENT

Proscribed Drugs

Mr. Flynn: To ask the Secretary of State for the Home Department what plans he has to include *(a)* khat, *(b)* gamma hydroxybutyrate, and *(c)* ketamine hydro-chloride on the list of the proscribed drugs; and if he will make a statement.

Mr. Maclean: We have no plans at present to schedule these substances under the Misuse of Drugs Act 1971. The key criterion in the 1971 Act is whether the misuse of a substance has or is capable of having harmful effects sufficient to constitute a social problem. The Advisory Council on the Misuse of Drugs considered the misuse of khat in 1988 and ketamine in 1992 against this criterion and reached the view that bringing them within the 1971 Act controls would not be appropriate.

We are keeping the situation in respect of all three substances under review.

Immigration Rules

Sir Donald Thompson: To ask the Secretary of State for the Home Department when he intends to make changes in the immigration rules.

Mr. Charles Wardle: My right hon. and learned Friend yesterday laid before Parliament a statement of changes in the immigration rules. The new rules will come into effect on 1 October. The format of the rules has been revised to make them easier for applicants, practitioners and staff to use. The changes of policy which I announced last July, when a consultation document was published, have been incorporated, including the removal of sexually discriminatory provisions, the creation of a new category of investor, and changes in the rules relating to working holidaymakers. A statement listing and explaining all the changes is available in the Vote Office.

Secure Training Centres

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department if he will now publish details of the operating specification of the proposed secure training centres for young offenders.

Mr. Maclean: I have today placed a copy of the operating specification and associated paper on staff selection, training, qualifications and certification in the Library of the House.

Sex Offenders

Mr. Cox: To ask the Secretary of State for the Home Department how many convicted sex offenders who were sentenced to life imprisonment in each of the last 20 years have now been released from prison.

Mr. Peter Lloyd: The information requested is in the table.

Sex offenders sentenced to life imprisonment, received into a Prison Service establishment in England and Wales who were released on licence by 31 December 1993[1]

Year of reception	[2]*Number of sex offenders received, sentenced to life imprisonment*	*Number of sex offenders released by end 1993 by year of reception*
1974	9	3
1975	9	3
1976	11	4
1977	11	2
1978	9	2
1979	8	2
1980	9	2
1981	10	—
1982	20	—
1983	12	1
1984	9	—
1985	11	—
1986	13	—
1987	21	—
1988	15	—
1989	21	—
1990	13	—
1991	17	—
1992	16	—
1993	16	—

[1] Provisional figures.

[2] Of these 23 have been transferred to hospital or to a Prison Service establishment outside England and Wales and 30 have been discharged on appeal.

Marriage of Convenience

Mr. Allen: To ask the Secretary of State for the Home Department what is the definition of marriage of convenience referred to in the Immigration (European Economic Area) Order 1994.

Mr. Charles Wardle: We regard a marriage of convenience as a sham marriage entered into solely for immigration purposes where neither partner has the intention of living permanently with the other as man and wife in a settled and genuine relationship.

Bait-digging

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his answer of 23 March, *Official Report,* column *219,* when he now expects to reply to Alnwick district council's representations to him of 12 March 1993 about bait-digging.

Mr. Charles Wardle: A substantive reply was sent to the Council on 23 May, following careful consideration of the legal issues involved.

Ballot Papers

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list those European Union countries that provide ballot papers in local, national and European elections in Braille or a similar system; and if he will make a statement.

Mr. Peter Lloyd: The information requested is not available. I shall make inquiries and write to the hon. Member.

Turkish Workers

Mr. Allen: To ask the Secretary of State for the Home Department what specific measures have been adopted to comply with the obligation of the United Kingdom Government under article 6(3) of decision 1/80 of the association council established in accordance with the Turkey-EC association agreement 1963 to establish under national rules the procedures relating to the rights of residence of Turkish workers in the United Kingdom; and what plans he has to include such mandatory measures in the next consolidation of the immigration rules to be laid before Parliament.

Mr. Charles Wardle: We have no plans to change the immigration rules in this respect. We consider our procedures under them to conform with the requirements of article 6 of Association Council Decision 1/80.

Roadside Cameras

Mr. Flynn: To ask the Secretary of State for the Home Department what percentage of moving traffic offenders detected by roadside cameras are not apprehended; and what assessment he has made of the reasons.

Mr. Charles Wardle: The figure requested is not available. It is for the police to decide on the basis of the photographic evidence whether they wish to take action in a particular case.

EEA Immigration Order

Mr. Allen: To ask the Secretary of State for the Home Department what is the definition of vocational training under the proposed Immigration (European Economic Area) Order 1994.

Mr. Charles Wardle: The term vocational training is drawn from article 1 of Council Directive 93/96/EEC which refers to a student as being:

> "enrolled in a recognised educational establishment for the principal purpose of following a vocational training course".

In accordance with a judgment of the European Court of Justice vocational training is interpreted very widely in this context to include all forms of higher education and any education which prepares for a qualification or provides the necessary training and skills for a profession, trade or employment even if the training programme includes an element of general education.

Prisons (HIV/AIDS)

Ms Ruddock: To ask the Secretary of State for the Home Department what representations he has received regarding the distribution of condoms in prisons in order to combat the spread of HIV/AIDS; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 23 May 1994]:* Responsibilty for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Ms Joan Ruddock, dated 24 May 1994:

The Home Secretary has asked me to reply to your recent Question about representations concerning the distribution of condoms in prisons in order to combat the spread of HIV/AIDS.

The Advisory Council on the Misuse of Drugs recommended in their 1993 report on AIDS and drug misuse that condoms be made available to prisoners in order to combat the spread of HIV/AIDS. The Prison Service Health Advisory Committee has now also recommended that condoms be made available for use by prisoners in England and Wales in its comments on the 1992-93 report of the Prison Service Director of Health Care. In addition, the Prison Service is considering a report from the Prison Service AIDS Advisory Committee on HIV in Prisons in which recommendations were made about condoms and cleaning materials.

Procedural guidelines issued to prison governors in November 1991 advised that the period leading up to release is an important time for educational measures and for individual counselling of HIV infected prisoners and others with lifestyles which suggest that they themselves may be at risk or that they may be a risk to other people. The guidelines also recommended that governors introduce schemes under which all prisoners released—and perhaps those going on home leave—have discrete access to a small supply of free condoms. The Prison Service is reviewing HIV/AIDS policy generally, including the policy on the issue of condoms.

PRIME MINISTER

Post Office Privatisation

Mr. Gordon Prentice: To ask the Prime Minister, pursuant to the answer from the President of the Board of Trade of 17 May, *Official Report,* column *389,* if he will institute an inquiry to establish the source of the leak which disclosed the President's preferred option for Post Office privatisation.

The Prime Minister: We are considering whether a leak inquiry would be justified.

Stephan Adolphus Kock

Mr. Meacher: To ask the Prime Minister what duties Stephan Adolphus Kock has performed for *(a)* the Prime Minister, *(b)* the Ministry of Defence, *(c)* the Foreign and Commonwealth Office, *(d)* the Department of Trade and Industry and *(e)* any other Department between 1964 and 1979; and in which countries overseas each of these duties was carried out.

The Prime Minister: Mr. Kock performed no official duties for any Government Department during the period 1964-79. It remains the Government's policy not to comment on the contacts which an individual may or may not have had with the security and intelligence agencies.

Baroness Thatcher (Overseas Visits)

Mr. Tom Clarke: To ask the Prime Minister what meetings were held by the former Prime Minister and her officials with representatives of the Indonesian Government during her visit to Indonesia in April 1985; and what issues were discussed at each of those meetings.

The Prime Minister: During her visit to Indonesia in April 1985, my right hon. and noble Friend and her officials met President Soeharto, the Foreign Minister, the Minister for Research and Technology, the Minister for Education, 10 Cabinet Ministers concerned with the economy, the governor of West Java and the director of the British Council. Issues discussed included oil prices, technical co-operation, China, Cambodia, East Timor, defence and economic, developmental and international matters.

Mr. Tom Clarke: To ask the Prime Minister what meetings were held with representatives of the Thai Government by the former Prime Minister and her officials during her visit to Thailand in August 1988; and what issues were discussed at each of those meetings.

The Prime Minister: My right hon. and noble Friend and her officials met the outgoing Prime Minister, General Prem Tinsulanonda, his successor, General Chatichai Choonhavan, deputy Prime Minister, Admiral Sonthee Boonyachai, and the Minister for Foreign Affairs, Air Chief Marshal Siddhi Savetsili. My right hon. and noble Friend also had an audience with His Majesty King Bhumibol Adulyadej and Her Majesty Queen Sirikit.

The situation in Cambodia was the main focus of the discussions. Other issues covered included trade, drug co-operation, defence, education, and regional economic and developmental matters.

Mr. Tom Clarke: To ask the Prime Minister what meetings were held by the former Prime Minister and her officials with representatives of the Jordanian Government during her visit to Jordan in September 1985; and what issues were discussed at each of those meetings.

The Prime Minister: My right hon. and noble Friend held meetings with King Hussein, Crown Prince Hassan and Prime Minister Zeid Rifai. Discussions with the King and the Jordanian Prime Minister concentrated on the Arab/Israel question, and those with the Crown Prince on the Jordanian economy.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 24 May.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 24 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

SOCIAL SECURITY

Child Support Agency

Mr. Hinchliffe: To ask the Secretary of State for Social Security what costs have been incurred by the Child Support Agency in hotel accommodation and services provided to staff since the agency was established.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. David Hinchliffe, dated 23 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about hotel and accommodation costs incurred by the Child Support Agency.

Such costs are charged to different budgets, for example training or travel and subsistence, depending on the nature of the expenditure.

To establish the hotel cost element from the various budgets and provide the information you require would involve detailed clerical analysis of all staff expenses claims and payments made over the past year at the Agency's headquarters, centres and some of the district offices. This would involve disproportionate cost to the Agency.

I am sorry I cannot be more helpful.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what information he has available to show the number of parents with care whose incomes have increased as a result of Child Support Agency involvement in maintenance arrangements.

Mr. Burt: It is not possible to collate this information from records held by the Department.

The Child Support Agency does not collect maintenance on behalf of the parent with care—PWC—in all the cases where it has assessed the level of maintenance to be paid. Where the agency is not providing a collection service there is no record of the amount or frequency of payments made and therefore no record of whether the overall income of the PWC has increased.

Benefits Agency

Mr. Pike: To ask the Secretary of State for Social Security (1) when he proposes to conduct a review of the progress of the new one-stop initiative; if he will publish the results; and if he will make a statement;

(2) how many Benefits Agency offices are at present running the new one-stop initiative;

(3) what cost has been incurred in moving towards the new Benefits Agency one-stop initiative.

Mr. Burt: The introduction of a one-stop service for Benefits Agency customers is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Michael Bichard to Mr. Peter Pike, dated 23 May 1994.

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about the One Stop initiative.

As you know, the Secretary of State for Social Security announced on 9 September last year a national programme to move, by July 1994, towards a One Stop service for all the benefits processed by the Benefits Agency. I wrote to you on 27 April 1994 with some information on the progress at that stage. By July, all Benefits Agency Districts will be expected to offer customers a One Place service.

The One Place Programme will mean that customers will be able to:

obtain advice and information on all benefits from their local Benefits agency office;

lodge a claim for any Benefits Agency benefit at a local office (regardless of where that benefit is processed), report a change of circumstance and receive reliable advice about the claim to benefit from that local office.

Progress is being monitored by local Managers and the central project team and a report on One Stop will be published in the Benefits Agency Annual Report and Business Plan in the normal way. Progress so far has been encouraging; in January of this year, for example, approximately 90 per cent of District offices were able to offer customers advice on the range of benefits, including in work benefits such as Family Credit.

The Benefits Agency agreed to implement the improvements in service from within our existing total resource allocation, although by the prioritization of other tasks we were able to give Districts additional funds for training. The pace of future developments will, of course, depend on the level of resources available.

I hope you find this reply helpful.

Lung Conditions

Mr. Clapham: To ask the Secretary of State for Social Security (1) how frequently the instruments used by the medical boards for lung function tests are monitored to ensure uniformity of standards;

(2) when was the last review of the instruments used by the medical boards for lung function tests; and what was the conclusion.

Mr. Scott: The administration of medical boards is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Michael Bichard to Mr. Michael Clapham, dated 23 May 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about the instruments used by Medical Boards for lung function tests.

The most recent review of the type of instrument used by the Adjudicating Medical Authorities (Medical Boards) was in March 1993, prior to the introduction of prescribed disease D12, Chronic Bronchitis and Emphysema (PD D12).

This review considered the type of instrument to be used in relation to PD D12. The instruments at examination centres are not portable, and, as many of the potential customers were elderly and housebound, there was a need to provide the Medical Boards with protable equipment.

There was also a need to achieve consistency in recording, because the lung function result was an essential condition for the diagnosis question to be answered. This consistency is needed to cover use of the equipment in a variety of environmental conditions.

The machine used was chosen because it is easily portable, simple to use and can be calibrated easily by the operator; it gives a computerised result showing recorded and predicted figures for the customer; it also produces a printed hard copy of the results and records the date of calibration for retention.

The machines are regularly serviced, maintained and calibrated in accordance with the manufacturer's recommendations and they are replaced as soon as they become unserviceable. The airflow measurement system of the machine requires regular calibration to offset variations in volume due to ambient temperature changes. Re-calibration is carried out at the beginning of each examination session and after every ten tests when carried out at an examination centre. On visits to the customer's home the machines are re-calibrated each time before use.

Several other types of machine are in use in Medical Boarding Centres for respiratory diseases, although these are not used for PD D12. They are not programmed with Professor Cotes' figures of comparative lung function volumes which are the standard for PD D12 diagnosis. These machines are non-portable and hold calibration well. In accordance with the manufacturer's recommendations, adjustments are needed only every 6-12 months because they are static and less subject to ambient temperature variation.

I hope you find this reply helpful.

Industrial Injuries Benefit

Mr. Clapham: To ask the Secretary of State for Social Security what plans he has to amend the current definition of pneumoconiosis in the social security legislation to include chronic bronchitis and emphysema.

Mr. Scott: None. Chronic bronchitis and emphysema are separate diseases and could not be included within a definition of pneumoconiosis.

Mr. Clapham: To ask the Secretary of State for Social Security how many applications were received from miners *(a)* over and *(b)* under 70 years of age for disablement assessment under the Chronic Bronchitis and Emphysema Regulations; how many applications have been processed to date; and how many were successful.

Mr. Scott: The total number of claims received by 8 May 1994 was about 43,300. Up to the end of the first phase of the take-on (6 February), about 22,500 claims were from miners and ex-miners over 70; since that date, those over 70 have been included in the overall claims figures. Of about 31,400 claims processed to date, about 3,200 were assessed as 14 per cent. or more disabled. Figures are based on a 100 per cent. count and subject to amendment.

War Veterans

Mr. Dowd: To ask the Secretary of State for Social Security how many former members of the armed forces who served during the 1939-45 war are now in receipt of income support and other means-tested benefits.

Mr. Burt: The information is not available.

HOUSE OF COMMONS

Child Care Survey

Mr. Barnes: To ask the Chairman of the Administration Committee, pursuant to his answer to the hon. Member for Leeds, East (Mr. Mudie) of 17 May, *Official Report*, column *416*, what was the cost of the child care survey; and what are the reasons for not publishing the results.

Mr. Michael J. Martin: As stated in my reply to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) on 9 February at column *278*, the fee paid to the consultants who conducted the childcare survey is a matter of commercial confidentiality. Given the Committee's decision to take no further action on this issue it considered the publication of the survey results to be inappropriate.

Satellite Television, Millbank

1

Mr. Allen: To ask the Lord President of the Council if he will install a satellite dish on 7 Millbank to enable hon. Members to receive the live coverage of Parliament produced by Sky TV.

Mr. Michael J. Martin: I have been asked to reply.

Any consideration of providing Members with the means to receive satellite television would be best undertaken once the House has considered the respective conclusions of the Information and Broadcasting Committees, on the introduction of the parliamentary data and video network and the "clean feed" of parliamentary proceedings.

Private Members' Bills

Mr. Morgan: To ask the Lord President of the Council (1) what was the average length of time taken by the Office of Parliamentary Counsel in responding to departmental requests for assistance with the drafting of *(a)* amendments or new clauses in relation to Government legislation and *(b)* Government-prompted amendments for onward transmission to Back Benchers for use in debate in relation to private Members' Bills in each of the last 12 months;

(2) if he will list for each month in 1994 the number of amendments or new clauses which were drafted by or with the assistance of the Office of Parliamentary Counsel categorised as *(a)* Government legislation, *(b)* Government amendments and so on in relation to private Members' Bills and *(c)* Government-assisted amendments or new clauses for supply to Back Benchers for use in debate in relation to private Members' Bills;

(3) how many requests the Office of Parliamentary Counsel has had from each Government Department in each quarter for the past two years for the drafting of amendments and in relation to *(a)* Government legislation and *(b)* private Members' Bills in which amendments or new clauses are for supply to Back Benchers for use in debate;

Mr. Newton: This information is not recorded.

Ministerial Salaries

Mr. Dowd: To ask the Lord President of the Council how many members of the Government are currently in receipt of a ministerial salary, and what was the comparable figure in April 1979.

Mr. Newton: One hundred and eight members of the Government are currently in receipt of a ministerial salary. The comparable figure prior to the general election of 1979 was 107, and after the general election 106.

Mobile Telephones

Mr. Vaz: To ask the Lord President of the Council, pursuant to his answer of 16 May, *Official Report,* column *311,* what was the cost of the calls made on portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintainance costs.

Mr. Newton: In 1993-94 the cost of calls made on portable telephones was £204·70. The purchase and subscription costs were £2,038·04. There were no maintainance costs.

DEFENCE

Nuclear Test Veterans

Mr. Galbraith: To ask the Secretary of State for Defence what assessment he has made as to whether the National Radiological Protection Board's study of nuclear test veterans who have developed posterior subcapsular eye cataracts will be undertaken in sufficient numbers to prevent a false negative result; and if he will make a statement.

Mr. Hanley: Although we are following its progress, the study in question is not being carried out on behalf of my Department. We have therefore made no such assessment.

Mr. William O'Brien: To ask the Secretary of State for Defence what consideration he has given to paying compensation to nuclear test veterans as part of the recognition given to service men in the context of the commemorations of D-day and of the end of the second world war.

Mr. Hanley: Over the period between the nuclear tests and the end of 1990, the total incidence of death and malignant disease among British nuclear test veterans has been no higher than among either the general population or a matched control group. This was clearly shown in the report of the National Radiological Protection Board published last December, a copy of which is in the Library of the House. These facts do not sustain a case for compensation.

D-day

Ms Mowlam: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Normanton (Mr. O'Brien), of 10 May 1994, *Official Report,* column *127,* if he will provide a breakdown of the estimated expenditure by his Department on events commemorating the 50th anniversary this year of the D-day landings.

Mr. Hanley: The current estimates of additional costs break down as follows:

	£
Portsmouth area events	800,000
Normandy area events	300,000
Public relations programme	200,000
Media facilities	1,500,000
Miscellaneous (including planning staff, education programme, VVIP/VIP transport and accommodation)	700,000
Total	3,500,000

Exercise First Crusade

Sir Nicholas Bonsor: To ask the Secretary of State for Defence if he will set out the participation by principal units in 1 Brigade's recent First Crusade exercise, enumerating those units absent on operational or other training commitments, and expressing their strength as a proportion of the brigade's strength.

Mr. Hanley: Those units under the operational command of 1 Mechanised Brigade which participated in Exercise First Crusade were 1 Royal Tank Regiment and 1 Royal Welch Fusiliers. Those units that were absent because of operational commitments were 1 Worcestershire and Sherwood Foresters Regiment—who were serving in Northern Ireland—and 1 Duke of Wellington's Regiment—who were serving in Bosnia.

The following units also took part in the exercise:

a. 1 Royal Horse Artillery
b. 22 Regt Royal Engineers
c. A composite logistic unit
d. 7 Gurkha Regiment, Gurkha infantry battalion from 5 Airborne Brigade and a squadron from the Household Cavalry Regiment, all of whom acted as enemy forces.

Eurofighter 2000

Dr. Strang: To ask the Secretary of State for Defence when he last met his counterpart in *(a)* Germany *(b)* Spain or *(c)* Italy to discuss progress on Eurofighter 2000; and if he will make a statement.

Mr. Aitken: My right hon. and learned Friend the Secretary of State for Defence met the Italian Defence Minister, the State Secretary in the German Ministry of Defence and the Spanish national armaments director at the Eurofighter 2000 international debut at Warton, Lancashire on 4 May. They noted the major step forward in development which the commencement of the flight test phase represents, and the importance of the project both to our military capability and the European aerospace industry.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what assessment he has made of Eurofighter's test flight; and if he will make a statement.

Mr. Aitken: The first Eurofighter 2000 development aircraft made a successful maiden flight on 27 March 1994 in Germany followed closely by the second development aircraft in the United Kingdom on 6 April 1994.

The initial reports from the test pilots were very positive and both aircraft met their full test objectives successfully.

Since then the two aircraft have made a total of 12 flights without any significant problems: the EF2000 flight test programme is now well under way and although flight test evaluation is still in its early stages, the initial results are very encouraging. I have every confidence that the aircraft will live up to all our expectations.

RAF Valley

Mr. Harvey: To ask the Secretary of State for Defence what assessment he has made of the possible impact of adverse weather on weapons range training sorties from RAF Valley.

Mr. Hanley: Irrespective of the base of operation, adverse weather sometimes affects range sorties and results in a failure to complete the planned exercise. However, these occurrences are kept to a minimum by the use of range controllers and weather check aircraft.

Mr. Harvey: To ask the Secretary of State for Defence (1) what assessment he has made of the possible impact of human error on the part of solo trainee pilots on weapons range training sorties from RAF Valley;

(2) where weapons will be loaded for weapons range training sorties from RAF Valley after the closure of RAF Chivenor;

(3) what assessment he has made of the possible impact of solo trainee pilots encountering unforeseen difficulties on average times spent on the weapons range in weapons range training sorties from RAF Valley, as compared to the existing pattern of sorties from RAF Chivenor.

Mr. Hanley: There is no intention to fly solo weapons range training sorties from RAF Valley. Should a decision be taken to close RAF Chivenor, aircraft from RAF Valley would load weapons at RAF St. Athan.

Mr. Harvey: To ask the Secretary of State for Defence what assessment he has made of the possible impact of congested airways on weapons range training sorties from RAF Valley.

Mr. Hanley: The effect will be negligible as aircraft transiting between RAF Valley and RAF Chivenor—or RAF St. Athan—will not usually need to fly through civil airways.

Mr. Harvey: To ask the Secretary of State for Defence what estimate he has made of the extra transit fuel costs of operating weapons range training sorties from RAF Valley instead of from RAF Chivenor.

Mr. Hanley: Because more efficient flight profiles can be used by aircraft flying to and from RAF Valley, the difference in fuel costs would be negligible.

Combat Aircraft

Mr. Menzies Campbell: To ask the Secretary of State for Defence what has been the percentage reduction in Royal Air Force overall front line combat aircraft strength since 1990.

Mr. Hanley: Since 1990, the number of RAF front-line fast-jet combat aircraft—including those in operational conversion units—has reduced by about one third.

Civilian Personnel

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is the total number of civilian personnel employed by the Ministry of Defence.

Mr. Aitken: The total number of civilian personnel employed by my Department on 1 April 1994 was 143,700.

Nuclear Co-operation

Mr. Menzies Campbell: To ask the Secretary of State for Defence what recent discussions he has had with his French counterpart on future further nuclear co-operation.

Mr. Hanley: My right hon. and learned Friend the Secretary of State for Defence has regular meetings with Defence Minister Leotard at which they discuss a variety of issues, including nuclear co-operation when appropriate. I can confirm that exchanges with France on nuclear matters are progressing well.

RAF Manpower

Mr. Menzies Campbell: To ask the Secretary of State for Defence what has been the percentage reduction in Royal Air Force uniformed manpower strength since 1990.

Mr. Hanley: Between 1 April 1990 and 1 April 1994, the Royal Air Force total strength—including trainees—fell by 15·6 per cent. from the April 1990 position.

HMS Endurance

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 11 May, *Official Report*, column *188*, what consideration he gave before October 1991 to the replacement of HMS Endurance; and if he will make a statement.

Mr. Hanley: The 1991 annual structural survey of HMS Endurance unexpectedly revealed a risk of hull failure in Antarctic or very cold conditions. The decision was therefore taken in August of that year to decommission the vessel. It had originally been assumed that HMS Endurance would continue in service until at least the middle of the 1990s, and planning for her replacement had therefore not commenced when this decision was taken.

As the Government were committed to maintain the programme previously carried out by HMS Endurance, a market survey was undertaken to investigate which suitable ships might be available to undertake the ice patrol task in the 1991-92 season. This survey identified MV Polar Circle as the only suitable ship, and she was accordingly taken up by the Ministry of Defence on a short-term bare boat charter while the requirement for a longer term replacement was being considered.

Northern Iraq

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 10 May, *Official Report*, column *130*, if he will take all possible steps to ensure that the families of those United Kingdom service personnel killed in Northern Iraq on 14 April are satisfied with the information his Department is able to provide them on the circumstances surrounding the incident.

Mr. Hanley: The United States investigation into the incident is not yet complete. Once completed, the results will be made available to the next of kin of the British service personnel as soon as possible. Both the United States and United Kingdom Governments are working closely to ensure that the families will receive as much information as possible.

Defence Costs Study

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 10 May, *Official Report*, column *188*, whether the publication of the broad outcome of the Defence costs study will include detailed information on reductions in logistical support; and if he will make a statement.

Mr. Aitken: I hope to announce the broad outcome of the Defence costs study in July. Where it is possible to make public the detail of proposed changes to our logistic support services arising from the Defence costs study, as part of the announcement, I shall do so.

Royal Navy Hydrographic Service

Mr. Page: To ask the Secretary of State for Defence whether he is in a position to report the outcome of the Government's review of the Royal Navy's hydrographic service.

Mr. Hanley: The Government attach importance to a specialist hydrographic capability to provide effective support to Royal Navy operations in peace and war. We have consequently decided to upgrade the capability of the hydrographic service by the purchase of four new hydrographic vessels, which will be commercially designed with an improved technical capability. The new ships, which will be larger than the existing vessels, will be either leased or owned by MOD, depending on which option offers best value for money. Her Majesty's survey launch Gleaner will remain in service for the foreseeable future. We believe that the resultant squadron of five survey vessels will best meet the requirements of Defence, including the ability to respond to unexpected short-notice tasking. All the vessels will be manned by Royal Navy crews and will fly the white Ensign.

Army Base Repair Organisation

Mr. Page: To ask the Secretary of State for Defence what are the key targets set for the chief executive of the Army Base Repair Organisation Agency for 1994-95.

Mr. Hanley: The chief executive of the Army Base Repair Organisation Agency—ABRO—has been set the following key targets for 1994-95.

1. To complete the repair programme to the plan as agreed on 1 April 1994.
2. Implement an automated, full cost accrual accounting system by 31 March 1995.
3. Within the overall total quality management (TQM) philosophy adopted by ABRO, to achieve ISO 9002 pre-assessment by 31 March 1995 in the HQ and all workshops.
4. To complete the market test of ABRO services in the eastern district by 31 March 1995. (Subject to review and revalidation following the outcome of the Defence costs study recommendations).
5. To reduce by 5 per cent. the 1993-94 ratio of labour costs to hours of production by 31 March 1995.

FOREIGN AND COMMONWEALTH AFFAIRS

Iran

Mr. Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what practical measures Her Majesty's Government intend to take to combat Iranian terrorism; and how the Government will act in concert with partners in the European Union and the United Nations in measures to tackle this problem.

Mr. Douglas Hogg: We are very concerned about reports of Iranian involvement in terrorism and have regular contacts with our partners in the European Union about how best to tackle this issue. We and our European partners have promoted resolutions at the UN General Assembly and the UN Commission on Human Rights expressing our concern, while the latter resolution also urged the Government of Iran to refrain from activities against members of the Iranian opposition abroad and to co-operate wholeheartedly with the authorities of other countries in investigating and punishing offences reported by them.

European Parliament

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will take steps to prevent neo-fascists from taking their seats in the European Parliament.

Mr. Heathcoat-Amory: All members of the European Parliament are democratically elected and therefore fully entitled to take up their seats.

Upper Limb Disorder

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Goodlad: Three members of staff have initiated legal action against the FCO for alleged negligence in respect of upper limb disorders said by the claimants to be work-related.

Henderson Island

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to prevent damage by rats and tourists on Henderson island.

Mr. Goodlad: We are currently drawing up a management plan for Henderson island, in consultation with the Joint Nature Conservation committee, the governor of Pitcairn and the Pitcairn islanders, which will address the threats posed to Henderson's environment by rats and tourists. In the meantime, tourists visiting Henderson are obliged to comply with a number of regulations drawn up by the governor to minimise damage to the island's ecology.

Cyprus

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs of which international organisations Cyprus is a member and of which either Greece or Turkey is not a member.

Mr. Heathcoat-Amory: Cyprus is a member of the following organisations to which neither Greece nor Turkey belong:

The Commonwealth
The Non-Aligned Movement
The Group of 77.

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if the constitution of the Republic of Cyprus restricts Cyprus from joining any international organisation; and if he will make a statement.

Mr. Heathcoat-Amory: We understand that the constitution of the Republic of Cyprus does not restrict it from joining any international organisation.

Italy

Mr. Denis MacShane: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussion the British ambassador in Rome has had with neo-fascist politicians in the Italian Government regarding common positions in advance of the EU 1996 Intergovernmental conference; and if he will make a statement.

Mr. Heathcoat-Amory: None.

Palestine

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance Her Majesty's Government are providing bilaterally and through the EC to support the Palestinians in the light of the Gaza-Jericho agreement signed in Cairo on 4 May.

Mr. Douglas Hogg: The following is the information:

United Kingdom aid to Palestinians

The United Kingdom intends to provide £70 million bilaterally and multilaterally to the Palestinians over the next three years.

EC assistance

Much of our aid will go through the EC, which will provide 500 mecu during 1994-98, half in grants, half in EIB loans. Of the 50 mecu of grants for 1994, the United Kingdom was instrumental in stimulating a contribution of up to 10 mecu for the Palestinian police.

The EC is also providing assistance for the Palestinian elections.

Bilateral and other assistance

We are providing £6 million to UNWRA in 1994. In addition, the United Kingdom has put together a series of bilateral initiatives in areas where we have particualar expertise and which the Palestinians have identified as priorities. These include:

(i) *Police Training*

We are running two training courses for senior Palestinian police officers in June and July. We are considering offering further training in specialist areas such as riot control, forensic work and community policing.

We are providing 200 sets of riot control equipment.

(ii) *Legal Assistance*

We are providing expert legal help to the chairman of the Higher Palestinian Legal Committee.

(iii) *Assistance with the Palestinian Elections*

We are helping with preparation for the elections—in addition to the EC assistance. We will provide monitors for them when they take place.

(iv) *Financial Sector*

The UK held a very successful seminar on financial markets in the Middle East on 28 and 29 April.

The Bank of England is offering assistance on central banking matters—probably primarily training.

The UK has offered to provide consultancy services and other assistance to the commercial banking sector in the occupied territories.

We are undertaking a study of middle east stock markets.

(v) *PECDAR*

The UK is ready to provide assistance to the Palestinian Economic Council for Development and Reconstruction—PECDAR.

(vi) *Media Project*

The UK is supporting the establishment of a Palestinian radio station.

(vii) *Assistance to NGOs and Other Agencies*

Under the ODA's special programme of assistance to the occupied territories, we are providing support for: a nurses training programme in Gaza; work of British NGOs including medical aid for the Palestinians and Save the Children; water resources management projects; and training in institution building, with the British Council.

TRADE AND INDUSTRY

Mr. Karel Van Miert

Mr. Etherington: To ask the President of the Board of Trade when he last met the European Commissioner Mr. Karel Van Miert; and what matters were discussed.

Mr. Neil Hamilton: My right hon. Friend, the President of the Board of Trade last met Mr. Van Miert on 11 May 1993. They discussed the direction of EC competition policy and the European merger regulation.

Company Investigations

Mr. Austin Mitchell: To ask the President of the Board of Trade (1) when the inspectors to inquire into the affairs of Brymore (Steels) Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost to the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(2) when the inspectors to inquire into the affairs of Andromeda Electronics Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(3) when the inspectors to inquire into the affairs of H. and C. Davis Company Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(4) when the inspectors to inquire into the affairs of Elliot Group of Peterborough Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(5) when the inspectors to inquire into the affairs of Helmville Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(6) when the inspectors to inquire into the affairs of Alarmount Properties Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(7) when the inspectors to inquire into the affairs of Brush Aggregates Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(8) when the inspectors to inquire into the affairs of Metalman Engineering Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(9) when the inspectors to inquire into the affairs of Reliance Plastering Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(10) when the inspectors to inquire into the affairs of Intervester SA were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(11) when the inspectors to inquire into the affairs of Phoenix Shipbuilders Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(12) when the inspectors to inquire into the affairs of Wilson-Mandelberg Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when the will publish the final reports;

(13) when the inspectors to inquire into the affairs of Portcarne Holdings Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(14) when the inspectors to inquire into the affairs of Parsons, Sherwin and Company Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports.

Mr. Neil Hamilton: All the inspectors were Departmental officers and the costs of their investigation are not available. Decisions not to publish their reports were all taken in 1979 or the early 1980s. The further information requested by the hon. Member is as follows:

Company	*Date of appointment of inspectors*	*Date of report*
Helmville Limited	25 July 1973	13 November 1979
Brush Aggregates Limited	13 December 1974	30 June 1980
Wilson-Mandelberg Limited	5 August 1975	30 April 1980
Intervestor SA	10 November 1975	31 August 1979
Portcarne Holdings Limited	20 January 1977	27 November 1980
Alarmount Properties Limited	20 January 1977	27 November 1980
Parsons, Sherwin and Company Limited	21 April 1977	3 July 1980
H & C Davis Company Limited	8 February 1978	[1]12 October 1978 [2]23 December 1980
Phoenix Shipbuilders Limited	3 March 1978	26 May 1982
Elliott Group of Peterborough Limited	16 May 1978	[1]25 September 1979 [2]16 October 1980
Andromeda Electronics Limited	28 June 1978	1 September 1980
Reliance Plastering Limited	8 February 1979	4 September 1980
Metalman Engineering Limited	19 September 1979	15 May 1981
Brymore (Steels) Limited	19 September 1979	15 May 1981

[1] Interim.

[2] Final.

Patent Office

Mr. Flynn: To ask the President of the Board of Trade when he intends to announce his policies on the future of the Patent Office.

Mr. McLoughlin: The Government are considering the report by Price Waterhouse which was commissioned as part of the review of the Patent Office. An announcement will be made to Parliament once the review is complete.

Research and Development

Mr. Win Griffiths: To ask the President of the Board of Trade how he measures the success of investment decisions made by his Department through the research and development budget.

Mr. McLoughlin: All programmes supported by the Department's innovation budget are subject to regular monitoring and ex-post evaluation. Reports of completed evaluations are lodged in the Library of the House.

Mr. Win Griffiths: To ask the President of the Board of Trade (1) if he will list the schemes organised by his

Department to provide public investment in research and development relevant to industry, the amount of money made available for each scheme in each of the last five years, its distribution between the private and public sectors and the percentage allocation in each standard planning region;

(2) how much money in each of the last five years has been allocated to the research and development of advanced composites; what organisations or companies have received financial support; and what percentage of funding went to academic research in each year;

(3) if he will list for each of the last five years the amount of money that was awarded to each company and organisation in each standard planning region of the United Kingdom for research and development, indicating the percentage awarded in each region;

(4) what percentage of his research and development budget is awarded to small companies.

Mr. McLoughlin: Information about my Department's schemes for supporting research and development is given in "Trade and Industry 1994" (Cm 2154) and in the "Forward Look of Government Funded Science, Engineering and Technology 1994", published by HMSO (ISBN 0 11 430098 4).

The additional detailed information requested could be provided only at disproportionate cost.

Mr. Win Griffiths: To ask the President of the Board of Trade what are the criteria and procedures set out for applications for, and granting of, funding for research and development from schemes operated by his Department.

Mr. McLoughlin: My Department's small firms merit award for research and technology—SMART—and support for products under research—SPUR—support research and development by individual smaller companies. The LINK and EUREKA schemes support collaborative research. Eligibility criteria and procedures are given in the scheme literature.

Timber

Mr. David Nicholson: To ask the President of the Board of Trade if he will set up a register of United Kingdom-based companies, and their size, by turnover and employment, which are principally or partially involved in timber exploitation in the areas of tropical rainforests.

Mr. McLoughlin: No, I see no useful purpose for such a register.

Trade Associations

Sir Dudley Smith: To ask the President of the Board of Trade what progress he has made in his policy in respect of harmonising trade associations and the sponsorship of their industries by his Department.

Mr. Sainsbury: We wish to see trade associations that are powerful, effective and influential in representing their members and which play a significant role in promoting the international competitiveness of their sectors. The Department has therefore worked closely, and will continue to work closely, with many trade associations with these aims in mind and to ensure that there is an effective and representative trade association for each sector of industry and commerce.

Sustech Programme

Mr. Llew Smith: To ask the President of the Board of Trade what information he has received from the European Chemical Industry Council, CEFIC, on its programme, Sustech-1; and what support is being given by the European Commission's industry directorate and research directorate to the Sustech programme.

Mr. Sainsbury: We have had no contact with CEFIC or the European Commission on the Sustech proposal, although officials have been appraised of the proposal by one company closely involved in it. I understand that development of the proposal is still at an early stage.

Regional Assistance

Mr. Fatchett: To ask the President of the Board of Trade how many companies by region, employing *(a)* fewer than 100, *(b)* between 100 and 250 and *(c)* more than 250 persons have been awarded (i) regional selective assistance and (ii) regional enterprise grants since the new assisted areas map was announced in 1993.

Mr. Sainsbury *[holding answer 23 May 1994]:* The number of companies that have been offered (i) regional selective assistance and (ii) regional enterprise grants in England from the introduction of the new assisted area map on 1 August 1993 to 17 May 1994, are as follows. All the offers of regional enterprise grant were made to companies employing fewer than 100 persons.

DTI Region	*Regional Selective Assistance companies employing:*			*Regional Enterprise Grants*
	Less than 100	*100-250*	*More than 250*	
East	14	—	—	12
East Midlands	36	1	3	92
London	9	1	—	6
Merseyside	89	8	12	37
North East	124	9	26	132
North West	139	7	13	58
South East	23	—	1	22
South West	69	6	6	85
West Midlands	121	11	14	45
Yorkshire and Humberside	88	8	11	229

HEALTH

Health Service Staff

7. **Mr. Robert Ainsworth:** To ask the Secretary of State for Health what recent guidelines she has issued in respect of senior NHS staff meeting shadow spokesmen.

Dr. Mawhinney: None.

Ambulance Service

16. **Mrs. Fyfe:** To ask the Secretary of State for Health what are her future plans for the ambulance service.

Mr. Sackville: National health service ambulance services are to be commended on the considerable advances they have made in recent years.

The Government will ensure that services maintain the excellent progress made towards meeting national standards for response times and towards the target of having a paramedic on each front-line ambulance.

Patients Charter

17. **Lady Olga Maitland:** To ask the Secretary of State for Health what progress has been made under the patients charter on outpatient waiting times; and how she proposes to strengthen the charter in this area.

Dr. Mawhinney: We are committed to reducing all waiting times. Since 1 April 1992 the patients charter has required health authorities to set and publish local charter standards for waiting time for first out-patient appointments for each hospital, specialty and consultant. On 13 April 1994 my right hon. Friend the Secretary of State announced that a national target will be set for the length of time patients have to wait for their first out-patient appointment. Further details will be announced later this year.

Organ Donation

18. **Rev. Martin Smyth:** To ask the Secretary of State for Health if she will make a statement on the individual's choice as to donation of organs.

Mr. Sackville: The wishes of the individual are paramount when considering the question of organ donation. This is secured by the Human Tissue Act 1961 under which organs from a deceased person may be used for therapeutic, educational or research purposes if that is known to have been the wish of the deceased or, if his wishes are not known, those of his relatives.

Access to Hospital

19. **Ms Jowell:** To ask the Secretary of State for Health when she last met members of the medical profession to discuss access to hospital for their patients.

Mr. Sackville: We have regular meetings with representatives of the medical profession during which a wide range of issues are discussed.

Geriatric Beds

20. **Mr. Foulkes:** To ask the Secretary of State for Health what is the current total number of geriatric beds in English hospitals; and what the figure was three years ago.

Mr. Bowis: In 1992-93, the latest year for which figures are available, the total number of national health service beds in England specifically designated for elderly people was 59,562. In 1989-90 the figure was 73,046.

In the same period the number of elderly people treated rose from 449,000 to 529,000, reflecting more effective treatments and use of hospital beds. In addition improvements in rehabilitation and community services are enabling more people to receive care at home, including things like hospital at home initiatives.

Junior Doctors

21. **Mr. Ottaway:** To ask the Secretary of State for Health what progress has been achieved in reducing the hours worked by junior doctors in the south Thames region.

Dr. Mawhinney: Between September 1990 and March 1994 the number of posts contracted for more than an average of 83 hours a week in south Thames fell from 1,963 to nine. In the year to 31 March 1994, the number of hard-pressed on-call posts contracted on average for more than 72 hours a week fell from 1,404 to 879. Our priority this year is to eliminate these remaining hard-pressed posts.

25. **Mr. Bellingham:** To ask the Secretary of State for Health what progress has been achieved in reducing the hours worked by junior doctors in the Anglia and Oxford region.

Dr. Mawhinney: In September 1990 there were 1,225 posts contracted to work for more than 83 hours a week in Anglia and Oxford. All these posts have now been eliminated. In the year to 31 March 1994, the number of hard-pressed on-call posts contracted on average for more than 72 hours a week fell from 1,051 to 518, a reduction of 51 per cent. Our priority this year is to eliminate these remaining hard-pressed posts.

Traffic Pollution

22. **Mr. Flynn:** To ask the Secretary of State for Health what strategy she is adopting to combat the bad health effects of traffic pollution especially in relation to carcinogens; and if she will make a statement.

Mr. Sackville: We will continue to work to identify any adverse health effects that may arise from traffic pollution and to mitigate those effects.

National Health Service Trusts

23. **Mr. Spring:** To ask the Secretary of State for Health what proportion of hospital and community health services in Suffolk is now carried out by national health service trusts.

Mr. Sackville: Suffolk is an excellent example of the success of the trust movement. Within the Anglia/Oxford region, all provider units are now trusts.

Dentistry

24. **Mr. Battle:** To ask the Secretary of State for Health if he will make a statement on the dentistry provision in Leeds.

Dr. Mawhinney: We are committed to an effective and accessible national health service dental service in Leeds.

The latest available figures indicate that both the number of dentists and the number of patients registered in Leeds has risen throughout the past year.

Royal Free Hospital

26. **Mr. John Marshall:** To ask the Secretary of State for Health how many individuals over pensionable age are being treated at the Royal Free hospital.

Dr. Mawhinney: This information is not available centrally. The hon. Member may wish to write the Baroness Gardner of Parkes, chairman of the Royal Free Hampstead national health service trust for details.

Help Us to Help You

27. **Mr. Booth:** To ask the Secretary of State for Health if she will make a statement on the Help Us to Help You campaign.

Dr. Mawhinney: I announced on 19 May, jointly with the medical profession, an extension of the Help Us to Help You campaign to encourage the appropriate use of general practitioner out-of-hours services.

Hip Replacements

28. **Mr. Mark Robinson:** To ask the Secretary of State for Health what is her latest estimate of the number of hip replacements carried out by the NHS; and how many were carried out in 1979.

Mr. Sackville: The latest available information is shown in the table.

	[1]1979	*[2]1990-91*
Hip replacement operations	23,410	50,725

[1] *source:* Hospital In-Patient Enquiry Operation Codes 810 & 811

[2] *source:* Hospital Episode Statistics Codes W37 W38 W39 W46 W47 W48

Hospital Performances

29. **Mr. Sykes:** To ask the Secretary of State for Health when she expects to publish comparative tables of hospital performance.

Dr. Mawhinney: The national health service performance tables will be published towards the end of June.

Limb Defects

Sir Teddy Taylor: To ask the Secretary of State for Health if she will initiate an inquiry into the incidence and geographical location of births involving the absence of limbs.

Mr. Sackville: The Office of Population Censuses and Surveys conducted an inquiry into the prevalence of these malformations in coastal and inland areas. It concluded that there was no difference in prevalence.

NHS Budget

Ms Primarolo: To ask the Secretary of State for Health what was the NHS budget and projected budget for London and England in *(a)* 1991-92, *(b)* 1992-93, *(c)* 1993-94 and *(d)* 1994-95.

Mr. Sackville: Figures for London and England are not available on a comparable basis.

Out-patients

Ms Primarolo: To ask the Secretary of State for Health if she will give the latest figures for the number of people on the waiting list for out-patients.

Dr. Mawhinney: There are no waiting lists for out-patient appointments.

NHS Audits

Ms Primarolo: To ask the Secretary of State for Health what was the expenditure on audits in the national health service in each of the last three years; and what breakdown of that expenditure is available.

Mr. Sackville: Total expenditure for the external audits recorded in the individual accounts of national health service bodies was approximately:

	£ million
1991-92	18·3
1992-93	30·1

Notes

1. These figures may significantly overstate the true increase between the two financial years because of variations in the accounting treatment of audit services.
2. A meaningful national total cannot be derived for 1990-91.
3. The totals quoted do not include external audit expenditure for Special Trustees, the Special Hospitals Service Authority, or the Mental Health Act Commission.
4. Figures for the Prescription Pricing Authority were not separately identifiable in 1991-92.

Child Suicides

Ms Primarolo: To ask the Secretary of State for Health how many children have committed suicide in each of the last 10 years by using paracetamol.

Mr. Bowis: The information is shown in the table.

Suicide deaths from poisoning where paracetamol is mentioned in the deaths' records for children (age 0-16), England and Wales 1983-1992

Year	*Number*
1983	1
1984	—
1985	—
1986	1
1987	—
1988	—
1989	—
1990	—
1991	—
1992	1

Hospitals (Paper Towels)

Mrs. Helen Jackson: To ask the Secretary of State for Health what assessment she has made of the use of paper towels in hospitals and clinics in preference to hot air driers.

Mr. Sackville: None. It is for the managers of hospitals and clinics to decide upon the appropriate methods of hand drying to be used within the varying departments of the unit.

Mental Health

Mr. Bates: To ask the Secretary of State for Health when he expects to publish the conclusions of the consultation on proposals to address section 18(4) of the Mental Health Act 1983.

Mr. Bowis: Shortly.

Infertility Treatment

Mr. Redmond: To ask the Secretary of State for Health if she will list those hospitals which have contracts with purchasers to provide infertility treatments, giving their average and lengthiest waiting times for first appointment and commencement of treatment for *(a)* those on the hospital's own list, *(b)* those who are accepted for treatment unde a contractual agreement with a fundholding general practitioner and *(c)* those who are accepted under a contractual arrangement with a health authority outside its own area.

Mr. Sackville: There is no central list of contracts agreed between purhasing authorities and hospitals. It is the responsibility of purchasing authorities to monitor the waiting times for treatment under the contracts they have agreed with hospitals inside or outside of the authority's area. Infertility treatment is not included on the list of procedures which a fundholding practice can purchase.

Mr. Redmond: To ask the Secretary of State for Health if she will list the average waiting times for infertility treatment to begin at each hospital providing this service, in each year since services began.

Mr. Sackville: Such information as is available is given in "Hospital Episode Statistics, Volume 2", copies of which are available in the Library.

Breast Unit, Guy's Hospital

Mr. Sheerman: To ask the Secretary of State for Health what steps she is taking to ensure the continuation of the work of the breast unit at Guy's hospital.

Dr. Mawhinney: Guy's and St. Thomas's hospital trust and the London implementation group have jointly indicated their intention to retain breast cancer services, and the associated research programme, within the trust.

There will be a full public consultation on any proposed changes to hospital services in south east London in due course.

Doctor-nurse Teams

Mr. Redmond: To ask the Secretary of State for Health how many people there are to each doctor-nurse team in *(a)* South Yorkshire and *(b)* nationally.

Dr. Mawhinney: Information is not available centrally in the form requested.

Alcohol-related Disease

Mr. Milburn: To ask the Secretary of State for Health what current information her Department maintains on occupations vulnerable to alcohol-related disease.

Mr. Bowis: All occupations are vulnerable.

Drug Misuse

Mr. Flynn: To ask the Secretary of State for Health (1) what assessment she has made of the dangers to health of the use of gamma hydroxybutyrate;

(2) what assessment she has made of the dangers to health of the use of the drugs *(a)* ketamine hydrochloride and *(b)* khat;

(3) what assessment she has made of the dangers to health of the use of *(a)* amyl nitrate and *(b)* butyl nitrate.

Mr. Bowis: The Department continues to monitor the extent to which drugs are misused and the changing patterns of misuse. As with any drug that is misused, the Department warns the public of the risks to health.

Crohn's Disease

Mr. Flynn: To ask the Secretary of State for Health what assessment she has made of the benefits of cannabis use for sufferers of Crohn's disease.

Mr. Sackville: None.

NHS (Private Capital)

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 11 March, *Official Report*, column *706*, if she will provide details of the value of private sector capital for each of the nine schemes listed using private capital approved up to the end of February 1993 and the private sector companies involved.

Mr. Sackville *[holding answer 19 May 1994]:* The information is shown in the table.

National health service projects using private capital worth over £0·25 million approved in the 12 months to end of February 1993

National health service partner	*Scheme*	*Private sector partner*	*Private sector capital cost £ million*
Northern General Hospital NHS Trust (Sheffield)	Satellite dialysis facilities	Priory Hospitals Group	0·5
NHS Supplies Authority	Lease of central headquarters (Reading)	Prudential	3·0
NHS Supplies Authority	Lease of divisional headquarters (Harrogate)	St. Martin's Property Investments Ltd.	0·6
Royal Victoria Infirmary and Associated Hospitals NHS Trust (Newcastle)	Lease of magnetic resonance imager	GVD Finance	1·1
Standing Committee on Postgraduate Education	Lease of offices	Wellcome Trust	0·5

National health service partner	*Scheme*	*Private sector partner*	*Private sector capital cost £ million*
South East London Commissioning Agency and Lambeth, Southwark and Lewisham FHSA	Lease of offices	Central Parkes South Ltd.	11·0
Kings Healthcare NHS Trust	Clinical waste incineration	Clinical Waste (PTY) Ltd.	4·0
Oldham Hospital NHS Trust, Rochdale NHS Trust, North Manchester Health Authority and Tameside Health Authority	Clinical waste incineration	Yorkshire Water Enterprises	2·7
Royal Liverpool University Hospital NHS Trust	Patient hotel	Scandanavian Service Partner Plc	4·9

Nursing Students

Mr. Blunkett: To ask the Secretary of State for Health how many nursing students took up places in each region in England in each year since 1990; and if she will make a statement on the likely level for 1994-95 assuming both volume and percentage changes.

Mr. Sackville *[holding answer 20 May 1994]:* The available information is shown in the table.

Final figures for 1993-94 and 1994-95 are not yet available.

Entrants to pre-registration nurse training by geographical area

Region	*Year ending 31 March 1991*	*Year ending 31 March 1992*		*Year ending 31 March 1993*	
	Registered nurse training total	*Registered nurse training total*	*Percentage change 1990-91 to 1991-92*	*Registered nurse training total*	*Percentage change 1991-92 to 1992-93*
Northern	1,262	1,268	+0·5	1,405	+10·8
Yorkshire	1,589	1,838	+15·7	1,775	−3·4
Trent	1,999	1,832	−8·3	2,649	+44·6
East Anglia	673	786	+16·8	643	−18·2
North West Thames	1,512	1,884	+24·6	1,652	−12·3
North East Thames	2,247	2,815	+24·7	2,562	−9·0
South East Thames	1,800	1,754	−2·9	1,811	+3·3
South West Thames	1,175	1,237	+5·2	1,095	−11·5
Wessex	1,201	1,382	+15·1	1,406	+1·7
Oxford	582	967	+64·2	990	+2·4
South Western	1,168	1,330	+13·4	1,335	+0·4
West Midlands	2,216	2,261	+2·0	2,298	+1·6
Mersey	1,061	1,213	+14·4	1,323	+9·1
North Western	1,697	2,224	+31·5	1,989	−10·6
TOTAL	20,368	22,838	+12·9	22,943	+0·6

Resource Allocation

Ms Jowell: To ask the Secretary of State for Health (1) when she intends to publish the report of consultants from York university on resource allocation; and if she will make a statement;

(2) what was the extent of the shortfall in the funding of London's health services identified by the King's Fund Research Institute in its report "London, The Key Facts"; and what steps she has planned to reduce that shortfall;

(3) what assessment she has made of the conclusion of the King's Fund Research Institute in its report "London, The Key Facts", on the extent of the underfunding of London's health service and the conclusions of the resource allocation review conducted for the Department of Health.

Mr. Sackville *[holding answer 23 May 1994]:* We have received the report of the review of weighted capitation which builds on the analytical work undertaken by consultants from York university. The review is a major piece of work and will require consideration.

The King's fund report entitled "London, The Key facts" has confirmed the view that London's primary and community care services are underdeveloped compared with the rest of the country. An extra £85 million is being invested this year to improve primary and community care services in the capital.

The King's Fund Institute also claimed that London's health services are underfunded by £200 million, but did not give any detailed reasoning for this conclusion.

Abortions

Ms Primarolo: To ask the Secretary of State for Health how many women from *(a)* Jersey, *(b)* Guernsey and *(c)* other Channel islands have had legal abortions in England in each year from 1968 to 1992; and at what gestational age.

Mr. Sackville *[holding answer 23 May 1994]:* The information requested can be provided only at disproportionate cost. However, the total number of legal abortions for residents of the Channel islands performed in England and Wales in 1992 was 370; of these, the gestation period was under nine weeks for 119, nine to 12 weeks for 207, 13 to 19 weeks for 38 and 20 weeks and over for six. Information for 1970 to 1991 inclusive is shown in the table, but only grouped as Channel islands, or from 1970 to 1985 Channel islands and the Isle of Man. A breakdown of these figures by age-group for 1974 onwards is given in part (i) of table 25 in the annual reference volume "Abortion Statistics" series AB1 nos. 1 to 18; copies of which are available in the Library.

Legal abortions in England and Wales to women usually resident[1] in the Channel islands and Isle of Man.

	Channel Islands	*Isle of Man*
1970	165	
1971	215	
1972	295	
1973	306	
1974	371	
1975	373	
1976	336	
1977	389	
1978	413	
1979	457	
1980	484	
1981	455	
1982	467	
1983	462	
1984	454	
1985	515	
1986	418	148
1987	416	158
1988	445	182
1989	488	221
1990	465	232
1991	462	191

[1] Data by country of usual residence are not available for 1968 and 1969.

EMPLOYMENT

Industrial Diseases

Mr. Wigley: To ask the Secretary of State for Employment if he will review the conditions of eligibility for compensation under the Pneumoconiosis, etc. (Workers' Compensation) Act 1979 following the acceptance by the Industrial Injuries Advisory Council of industrial causes of chronic bronchitis and emphysema in order to include sufferers from chronic bronchitis and emphysema, who had previously worked at industries recognised as causing industrial lung diseases and who hitherto have been excluded from compensation under the Act.

Mr. Michael Forsyth: I have no plans to do so.

Radiation

Mr. Llew Smith: To ask the Secretary of State for Employment how many deaths have been recorded in each year since 1979 arising from the over-exposure to radiation doses from X-ray equipment used to examine industrial welds and other industrial uses.

Mr. Michael Forsyth: Neither the national mortality statistics nor the Health and Safety Executive's database of fatal accidents show any deaths from acute overexposure to any type of radiation in the period 1979 up to April 1992—latest available information.

However figures from the Department of Social Security show that between 1983 and 1988 there were five awards of industrial death benefit for the prescribed diseases due to electro-magnetic radiations, other than radiant heat, or to ionising particles. It is not possible to say whether these individuals were industrial radiographers, or other exposed workers. Nor is it possible to determine when these individuals were exposed.

WALES

Training and Enterprise Councils

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list for each training and enterprise council in each of the last three years and endorsements for training purposes categorised, A, B and C.

Sir Wyn Roberts: I refer the hon. Member to the reply given by my right hon. Friend the Parliamentary Under-Secretary of State for Employment on 16 May at column *363*.

Education Expenditure

Mr. Wigley: To ask the Secretary of State for Wales what has been the level of expenditure on *(a)* primary education and *(b)* secondary education in (i) money terms and (ii) real terms in each of the past five years in each local education authority in Wales.

Sir Wyn Roberts: The available information is given in the following tables. Information on individual education authorities is not available on a comparable basis for 1989-90. It is not possible to disaggregate pre-primary and primary expenditure. Figures on capital expenditure for 1993-94 are not yet available.

Education net current expenditure (a) (cash prices)

£000

	1990-91		*1991-92*		*1992-93*		*1993-94 (b)(c)*	
	Pre-Primary and Primary	*Secondary*	*Pre-Primary and Primary*	*(b) Secondary*	*Pre-Primary and Primary*	*(b) Secondary*	*Pre-Primary and Primary*	*Secondary*
Clwyd	47,127	54,720	52,327	61,190	62,187	73,006	61,638	66,289
Dyfed	48,617	47,673	53,297	52,420	65,421	61,025	62,734	61,643
Gwent	59,471	60,846	57,474	62,138	76,862	73,861	77,471	73,830
Gwynedd	29,333	33,692	32,107	37,893	37,759	42,335	36,225	40,227
Mid Glamorgan	72,870	72,453	84,616	84,270	92,159	98,730	101,981	102,613
Powys	15,201	15,164	18,129	16,029	22,647	20,110	21,177	21,401
South Glamorgan	44,718	48,440	51,269	53,256	62,228	61,237	61,276	56,721
West Glamorgan	48,641	51,084	53,396	54,965	68,418	59,833	64,523	59,585
Total Counties	365,978	384,072	402,615	422,161	487,681	490,137	487,025	482,309

Education net current expenditure (a) (constant 1993-94 prices)

£000

	1990-91		*1991-92*		*1992-93*		*1993-94 (b)(c)*	
	Pre-Primary and Primary	*Secondary*	*Pre-Primary and Primary*	*(b) Secondary*	*Pre-Primary and Primary*	*(b) Secondary*	*Pre-Primary and Primary*	*Secondary*
Clwyd	53,726	62,382	56,102	65,604	64,208	75,379	61,638	66,289
Dyfed	55,425	54,349	57,142	56,201	67,547	63,008	62,734	61,643
Gwent	67,799	69,366	61,620	66,620	79,360	76,261	77,471	73,830
Gwynedd	33,440	38,410	34,423	40,626	38,986	43,711	36,225	40,227
Mid Glamorgan	83,074	82,598	90,720	90,349	95,154	101,939	101,981	102,613
Powys	17,330	17,287	19,437	17,185	23,383	20,764	21,177	21,401
South Glamorgan	50,980	55,223	54,967	57,098	64,250	63,227	61,276	56,721
West Glamorgan	55,452	58,237	57,248	58,930	70,642	61,778	64,523	59,585
Total Counties	417,225	437,853	431,658	452,614	503,531	506,066	487,025	482,309

Education gross capital expenditure (cash prices)

£000

	1990-91		*1991-92*		*1992-93*	
	Pre-Primary and Primary	*Secondary*	*Pre-Primary and Primary*	*(b) Secondary*	*Pre-Primary and Primary*	*(b) Secondary*
Clwyd	3,258	2,691	5,223	2,942	4,208	2,337
Dyfed	2,226	2,391	3,093	2,893	3,267	2,567
Gwent	7,635	1,175	4,669	1,415	8,751	1,421
Gwynedd	1,210	1,260	1,391	1,372	431	776
Mid Glamorgan	3,706	3,613	2,909	3,225	2,337	3,672
Powys	631	548	933	840	1,495	1,635
South Glamorgan	2,890	3,382	5,000	1,989	5,200	2,233
West Glamorgan	1,182	5,022	2,739	1,877	3,891	2,736
Total Counties	22,738	20,082	25,957	16,553	29,580	17,377

Education gross capital expenditure (constant 1993-94 prices)

£000

	1990-91		*1991-92*		*1992-93*	
	Pre-Primary and Primary	*Secondary*	*Pre-Primary and Primary*	*(b) Secondary*	*Pre-Primary and Primary*	*(b) Secondary*
Clwyd	3,714	3,068	5,600	3,154	4,345	2,413
Dyfed	2,538	2,726	3,316	3,102	3,373	2,650
Gwent	8,704	1,340	5,006	1,517	9,035	1,467
Gwynedd	1,379	1,436	1,491	1,471	445	801
Mid Glamorgan	4,225	4,119	3,119	3,458	2,413	3,791
Powys	719	625	1,000	901	1,544	1,688
South Glamorgan	3,295	3,856	5,361	2,132	5,369	2,306
West Glamorgan	1,348	5,725	2,937	2,012	4,017	2,825
Total Counties	25,922	22,894	27,829	17,747	30,541	17,942

(a) Excludes school catering.

(b) Excludes grant maintained schools.

(c) Revised Estimates. Inter-authority recoupments are not available at school level from revised estimates and are therefore excluded. Revised estimates also exclude some central expenditure on the provision of education support services.

Severn Bridge

Mr. Flynn: To ask the Secretary of State for Wales what is his assessment of the number of lorries diverted from the Severn bridge in a westerly direction through Gwent roads since each of the last two increases in tolls on the Severn bridge.

Sir Wyn Roberts: There have been increases in the numbers of heavy goods vehicles entering Gwent from England over the last two years, but I cannot say that all are due to the effects of tolling. From the limited data available, it is estimated that the increases in daily flows are:

200 on the A48 in Chepstow
150 on the A40 in Monmouth
320 on the A4136 at Monmouth

In March 1994 the Highways Agency commissioned traffic surveys to establish the true extent of the problem. The report of the survey is not expected until mid June.

Employment

Mr. Wigley: To ask the Secretary of State for Wales what is the latest estimate of the proportion of men between the ages of 60 and 65 years in Wales who are gainfully occupied.

Mr. Redwood: According to the autumn 1993 labour force survey there were 25,000 men in Wales aged 60 to 64 who were in employment, representing 35 per cent. of all males aged 60 to 64. The figure includes all men who were doing some paid work in the referene week, those who had a job that they were temporarily away from and those doing unpaid family work for a business that they or a relative owned.

Head Teachers (Dismissal)

Mr. Flynn: To ask the Secretary of State for Wales in what circumstances he will dismiss head teachers; and what will be the process involved.

Sir Wyn Roberts: My right hon. Friend and I expect the governing bodies of all schools to keep under review the performance of the headteacher and consider what action might be appropriate when the school is underperforming. When a school is identified in a report by Her Majesty's inspectorate of schools or a registered inspector as failing to provide acceptable standards of education, and my right hon. Friend is not satisfied with the action the school proposes to take to address the shortcomings, he has the power to establish an education association to take over the running of the school. We would expect any education association to look at the position of the headteacher and other staff in considering its plan of action. My right hon. Friend has the power to require the association to do so.

The circumstances in which headteachers can be fairly dismissed are the same as those for other employees. There can be no hard and fast rules about what action should be taken in respect of the headteacher: each case would have to be considered on its merits. Any dismissal would have to be in accordance with the procedures and requirements set out in the Employment Protection (Consolidation) Act 1978.

NHS Trusts

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales on which date notice was given to each NHS trust in Wales of their funding for the financial year 1994-95; what plans he has regarding the timing of notice to trusts in regard to pay awards; and if he will make a statement.

Mr. Gwilym Jones: I refer the hon. Member to my right hon. Friend's announcement of 16 March, which sets out the external financing limits for NHS trusts in 1994-95 together with the allocations to health authorities and family health services authorities. The external financing limits, however, relate only to new borrowing or the use of reserves by NHS trusts. Their general funding is determined via the contractual negotiations with the various health authorities and GP fundholders which they serve.

The Government's acceptance of the recommendations of the pay review bodies was conveyed to health authorities and NHS trusts in February with notification of the increases payable to relevant staff groups from 1 April followed in March. The notification of pay awards for other staff groups entitled to Whitley council terms and conditions of service is totally dependent upon the conclusion of 1994-95 pay negotiations within each of the functional councils. The amount and timing of pay awards to staff employed on local terms and conditions is a matter for each individual NHS trust.

Birds of Prey

Mr. Ainger: To ask the Secretary of State for Wales how many incidents were reported of *(a)* thefts and *(b)* poisonings or shootings of buzzards, kestrels and sparrowhawks in each year since 1989.

Sir Wyn Roberts: Information on thefts of birds or their eggs is not held by the Department.

Details of confirmed poisoning incidents in Wales are as follows:

Species	*1989*	*1990*	*1991*	*1992*	*1993*
Buzzard	10	1	1	1	4
Kestrel	1	0	0	0	0
Sparrowhawk	0	0	0	0	0

The only confirmed shootings of any of these species during the period were those of two buzzards in 1992.

Health Service Funding

Mr. Ainger: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Clwyd, North-West (Mr. Richards) of 16 March, *Official Report*, column *698*, if he will explain on what figure he bases his claim that the £1,295 million available for current spending on health authorities is a 4·3 per cent. increase on 1993-94 plans, and where that figure appears in the Welsh Office's published expenditure plans 1994-95 to 1996-97 (Cm 2515).

Mr. Redwood: The £1,295 million which I announced on 16 March as available for hospital and community health services current spending in 1994-95 represents a cash increase of 4·3 per cent. over the £1,242 million planned spend on comparable services in 1993-94. These amounts are encompassed in the provision shown in figure 9.01 of Cm 2515 as planned expenditure in 1993-94 and 1994-95 for current spending on hospital and community health services and—in anticipation of the transfer of funding from health authorities to GP fundholders for their spending on hospital and community health services—within the current expenditure provision for family health services.

1994 GCSE Examinations

Mr. Morgan: To ask the Secretary of State for Wales what consultation he has had with the chairman of the Welsh Joint Education Committee in relation to irregularities in the conduct of the 1994 GCSE examinations and access given to the candidates to the examination papers before time; if the school was in the state sector; what guidelines he has issued with respect to disciplinary proceedings in relation to the teacher concerned; and if he will make a statement.

Mr. Redwood: None. The school was in the state sector. The WJEC has investigated this matter thoroughly and is satisfied that a change to the current instructions about the security of examination papers which it issues to all examination centres, is not required.

The matter of disciplinary proceedings in relation to an individual teacher, is primarily a matter for the school concerned.

Dearing Report

Mr. Morgan: To ask the Secretary of State for Wales what is the *(a)* estimated and *(b)* out-turn cost of printing and delivering copies of the Dearing report, "The Review of School Curriculum and Assessment" to all schools.

Mr. Redwood: Copies of the Dearing report were issued to schools in Wales together with copies of the final report of the Curriculum Council for Wales. The final cost of printing and distribution of these reports was £42,108.

Cross-border Tendering

Mr. Hanson: To ask the Secretary of State for Wales when his proposed consultation on cross-border tendering will take place; what will be its format; whom he proposes to consult; if he will make the consultation results public; and if he will make a statement.

Mr. Redwood: My officials have written to the Council of Welsh Districts and Assembly of Welsh Counties inviting them to submit written comments preferably by Tuesday 7 June. I will place copies of any responses received in the Library of the House. I propose to announce the conclusions I have reached during report stage of the Local Government (Wales) Bill.

Canton Area Traffic Management Scheme

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received from *(a)* the South Glamorgan county councils and *(b)* others in relation to the funding of the Canton area traffic management scheme; what decisions he has made and announced in relation to grant aid for the scheme or further studies in relation to it; and if he will make a statement.

Mr. Redwood: South Glamorgan county council submitted a proposal for a £1·5 million scheme last year and the hon. Member wrote in support. Under current arrangements for transport grant the Department can support only schemes costing over £5 million. Funding for smaller schemes has to be found from the unhypothecated annual settlements for capital and revenue spending. It is possible that elements would be eligible for strategic development scheme assistance. The council was advised of our conclusion on 12 January.

TRANSPORT

Noise Regulations

Mr. Soley: To ask the Secretary of State for Transport when he will publish the draft noise regulations for new railway lines.

Mr. Freeman: Comments on the draft already issued for public consultation are currently being considered. Our aim is to present draft regulations to Parliament during the summer.

Transport Research Laboratory

Mrs. Roche: To ask the Secretary of State for Transport what assessment he has made of proposals for the Transport Research Laboratory to be allowed to undertake commercially-funded research.

Mr. Key: The Transport Research Laboratory already undertakes commercially-funded research. The Government's assessment is that the laboratory will be much better placed to compete for commercially-funded work when it is in the private sector.

M25

Mr. Jim Cunningham: To ask the Secretary of State for Transport (1) what representations he has received from members of the public in Coventry regarding the effect on the environment of proposals to widen the M25; and what proposals he has for minimising the effects these proposals will have on the environment;

(2) how the sites of special scientific interest affected by the proposed widening of the M25 will be protected; what representations he has received about these proposals; if he will list them; and what consultations he has carried out with members of the public or organisations.

Mr. Key: These questions relate to operational matters of the Highways Agency. I have asked the chief executive, Mr. Lawrie Haynes to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Jim Cunningham, dated 23 May 1994:

The Minister for Roads and Traffic, Mr. Key, has asked me to write to you in reply to your recent Parliamentary Questions about widening the M25 motorway.

I am sorry, but information about representations received from particular locations is not readily available and could only be obtained at disproportionate cost. Similarly, many thousands of representations have been received about the widening proposals and I am afraid it would not be practicable to list them as you requested.

About 70 per cent. of the proposed M25 widening will be undetaken within existing highway boundaries to limit the effects on surrounding areas. Where environmental effects cannot be avoided, a range of measures are proposed to keep them to a minimum. Depending on the particular location, the measures include the provision of noise and visual screens, landscaping, noise insulation to properties and, where appropriate, the use of porous asphalt to reduce traffic noise.

It is not currently expected that any land will be required from Sites of Special Scientific Interest (SSSIs) except possibly for a small area which may be needed from Ockham and Wisley Commons SSSI which surrounds Junction 10.

We have consulted the public and a wide range of organisations, including English Nature, Countryside Commission and National Rivers Authority, on all M25 widening proposals published to date. Environmental statements have been published for comment on each of these proposals (except for proposed link roads between junctions 15-16 which is at an earlier stage of development and where an Assessment Report was published) and public exhibitions held in each case.

Roads (Land Acquisition)

Mr. John Marshall: To ask the Secretary of State for Transport what will be the impact of the review of the road programme upon land acquisition costs over the next five years; and to what extent he expects the review to lead to the disposal of any land.

Mr. Key: As the information requested relates to operational matters of the Highways Agency I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. John Marshall, dated 19 May 1994.

I have been asked to reply to your recent Parliamentary Question about the impact of the review of the road programme upon land acquisition costs and the extent to which it will lead to the disposal of any land.

The decision to withdraw schemes from the road programme, announced by the Secretary of State on 30 March, will result in a reduced spend on land acquisition over the next 5 years. It is not possible to give precise figures since the amount of land required for those schemes has, in many cases, not been determined and acquisition costs are subject to general fluctuations in the property market.

Where land has already been purchased for those schemes —for example under blight powers—it will be disposed of at the earliest opportunity consistent with sound management and disposal practice and Government Accounting requirements.

Seat Belts

Mr. Worthington: To ask the Secretary of State for Transport which countries in the European Union require the fitting of seat belts in minibuses and coaches.

Mr. Key: None.

Bridges (Lorry Strikes)

Mr. Snape: To ask the Secretary of State for Transport what steps his Department has taken to prevent lorries from striking rail bridges.

Mr. Key: We work closely with Railtrack and other bridge owners, local authorities, bus operators and the haulage industry to monitor and reduce bridge strikes. Local authorities have been given guidance on the use of traffic signs to warn drivers of high vehicles in good time; and at 21 low bridges of particular concern we have installed automatic signs which are switched on by detectors of vehicles that are too high.

Piggyback Rail Corridor

Mr. Robert Ainsworth: To ask the Secretary of State for Transport what are his plans to respond to the report of the Piggyback consortium and the proposals from Central Railways to provide a piggy back rail corridor; and if he will make a statement.

Mr. Freeman: I congratulate the Piggyback consortium on its report and would like to see the initiative taken forward to the next stage. To this end, the Government will be prepared to support the consortium's bids for European funds, subject to eligibility and competing pressure on available funds.

The central Railway group's proposal is an entirely private sector venture that would need in due course to obtain statutory authorisation by means of the procedures established in the Transport and Works Act. It would, therefore, be inappropriate for me to comment at this stage.

Four-wheel Drive Vehicles

Mr. Enright: To ask the Secretary of State for Transport (1) what research his Department has conducted into the change in the numbers of safari-type four-wheel drive vehicles;

(2) what research his Department has conducted into the impact on pedestrian safety of the level of ownership of safari-type vehicles.

Mr. Key: Market trends and predictions from the motor industry suggest that the market share for four-wheel-drive vehicles typified by the Land/Range Rover is rising rapidly and may reach 3 per cent. of the car population by 1996.

The Department has not carried out any research in terms of the level of ownership of safari type vehicles. But Transport Research Laboratory tests on such vehicles fitted with bull bars showed that the rigidity of the metal bars could cause an increase in pedestrian injuries. We have now taken steps to identify accidents involving a vehicle with bull bars and a pedestrian to ascertain whether bull bars are causing increased injuries. We do not expect to see results from this exercise before the end of 1994.

Cars (Safe Manufacture)

Mr. Enright: To ask the Secretary of State for Transport what research his Department has conducted into the safe manufacture of cars in respect of the severity of the effect on pedestrians of accidental impact.

Mr. Key: For nearly 20 years the Transport Research Laboratory has been studying pedestrian safety and the mechanism of injury when struck by a car. The United Kingdom has led the European research institutes in the preparation of a draft directive. We are now awaiting a proposal for a directive from the EC Commission. Independent research carried out in the United Kingdom, supported by similar research in Germany, suggested that if all cars were softened to meet the proposals 7 per cent. of fatalities and 21 per cent. of serious injuries due to impacts by cars would be avoided. This might save approaching 100 lives per annum in the United Kingdom.

M5

Mr. Flynn: To ask the Secretary of State for Transport what were his reasons for approving the J17 link road from the M5 to Weston-Super-Mare town centre.

Mr. Key: Various stages of the Weston-super-Mare primary distributor road between the M5—junction 21— and the town centre have been supported with transport supplementary grant. This scheme meets the criteria for acceptance of expenditure on TSG, being an improvement to the primary route network which relieves a residential area from the effects of through traffic. It was given a high priority by Avon county council, the local highway authority responsible for all aspects of its planning and design.

New Road Schemes

Mr. Simon Hughes: To ask the Secretary of State for Transport what representations he or any members of his Department have received from persons or organisations concerned with the strategic importance of proposed new road schemes.

Mr. Key *[holding answer 20 May 1994]:* My right hon. Friend receives many representations from individuals and organisations about all aspects of proposed new road schemes, including questions of strategic importance.

Information about specific schemes in the road programme is available from the chief executive of the Highways Agency, Mr. Lawrie Haynes.

Family Railcards

Mr. Dobson: To ask the Secretary of State for Transport if he will publish a table showing for each of the past five years, and as a total over the same period, the total amount spent on saver and supersaver tickets by rail passengers using family railcards, broken down into discounted adult fares and discounted child fares, together with the level of discount on saver and supersaver tickets for each year afforded to rail passengers using family railcards.

Mr. Freeman *[holding answer 20 May 1994]:* This is a commercial matter for British Rail, but I understand that the information requested is as follows:

	1989-90	*1990-91*	*1991-92*	*1992-93*	*1993-94*
Saver and Supersaver discounted adult spend	N/A	N/A	N/A	£17·825 million	£18·706 million
Saver and Supersaver discounted child spend	N/A	N/A	N/A	£0·997 million	£0·956 million
Saver and Supersaver Total adult and child	N/A	N/A	£17·231 million	£18·822 million	£19·622 million
Adult Saver discount	34 per cent.	25 per cent.	25 per cent.	25 per cent.	25 per cent.
Adult Supersaver discount	34 per cent.	25 per cent.	25 per cent.	25 per cent.	25 per cent.
Child discount	£1 flat rate	£1 flat rate	£1 flat rate	£1 flat rate	£1 flat rate

N/A = Not available—These figures are not held centrally and could only be obtained at disproportionate cost.

EDUCATION

Teachers, Kent

Mr. Dunn: To ask the Secretary of State for Education how many teaching staff and non-teaching staff were employed by the Kent local education authority for each year since 1988.

Mr. Robin Squire: Information on the number of employees of each local education authority is compiled by the local government management board from data collected on behalf of the joint staffing watch. The table shows the data available for the Kent local authority.

	Teachers and lecturers		*Education Other*	
March	*Full-time*	*Part-time*	*Full-time*	*Part-time*
1990	12,496	5,006	3,999	9,653
1991	12,087	4,176	3,655	7,854
1992	11,504	5,379	3,657	9,064
1993	10,857	5,592	3,546	9,692
1994	8,708	4,189	2,706	9,970

1. The table covers all staff in the LEA maintained nursery, primary and secondary schools sector, special and further education, and central administration. Staff employed by self-governing—GM—schools are not included. The 1994 figures exclude colleges which transferred to the new FE sector in April 1993.

2. "Education—Other" includes educational support, clerical, school meals and premises related staff employed in schools and colleges, together with central services and administration within the education service.

Dearing Report

Mr. Morgan: To ask the Secretary of State for Education what is the *(a)* estimated and *(b)* out-turn cost of printing and delivering copies of the Dearing report on the review of school curriculum and assessment to all schools.

Mr. Robin Squire: The out-turn printing and distribution costs of Sir Ron Dearing's final report on the national curriculum published in January 1994 were £460,000; the bulk of this expenditure was in respect of copies of the report sent to schools but a precise breakdown is not available.

In line with Sir Ron Dearing's recommendations, proposals were published earlier this month for a slimmed down national curriculum in all subjects. The estimated cost of printing and distributing 120,000 sets of these consultation documents is about £700,000. About two-thirds have been sent to schools.

Student Statistics

Mr. Robert Banks: To ask the Secretary of State for Education how many mature students attended universities and colleges in each of the last three years.

Mr. Boswell: The table shows the number of students on their first year of an higher education course in Great Britain who were defined as mature[1] in each of the last three academic years.

1990-91	*1991-92*	*1992-93*
262,249	308,147	352,258

[1] Mature students are defined as those who at the start of their undergraduate course are aged 21 and over, and for those commencing a postgraduate course 25 years old and over.

Mr. Robert Banks: To ask the Secretary of State for Education how many mature students currently in higher education are aged over 30 years.

Mr. Boswell: In the academic year 1992-93, there were 163,446 students aged over 30 years in their first year of study, of whom 154,219 were United Kingdom domiciled.

Educational Psychologists

Mr. Steinberg: To ask the Secretary of State for Education what is his estimate of the increase in numbers of educational psychologists needed to fulfil the additional requirements set by the Education Act 1993 and the code of practice on the identification and assessment of special educational needs.

Mr. Forth: Local education authorities should be able to meet the requirements of the 1993 Act and the code of practice within existing resources: the number of educational psychologists has increased by over 30 per cent. in the last 10 years. It is for each LEA to determine staffing levels based on local needs and priorities.

Mr. Steinberg: To ask the Secretary of State for Education how many educational psychologists have *(a)* entered and *(b)* left the profession during the past three years for which figures are available.

Mr. Forth: This information is not held centrally.

Schools Research

Mrs. Gorman: To ask the Secretary of State for Education if he will list those research projects into *(a)* local management of schools and *(b)* grant-maintained status which have been supported by public funds, stating, in each case, the cost of support and the names of the applicants and their institutions.

Mr. Robin Squire: The following projects have been supported by the Department for Education:

Subject	*Researcher*	*DFE grant* £
Financial Delegation to Schools	Coopers and Lybrand Associates	68,277
Local Management of Schools—Guidance Manual and Training Programme	Chartered Institute of Public Finance and Accountancy (CIPFA)	135,000
LMS: Extension to Special Schools: Feasibility Study	Touche Ross Management Consultants	40,000
Review of LMS Initiative—Formula Funding Study	CIPFA	25,000
Advice to Schools on Service Contracts: LMS	Coopers and Lybrand Associates	54,500
LMS: Advice for Small Schools	Coopers and Lybrand Associates	55,999
Effectiveness of Schooling and Educational Resource Management	University of Birmingham (Professor H. Thomas)	45,927

The following projects have been supported by the Economic and Social Research Council:

Subject	*Researcher*	*ESRC Grant* £
LMS and Provision for Special Educational Needs	University of London Institute of Education (Ms J. M. Evans; Ms I. Lunt; Dr. P. E. Young)	73,537
Parental and Institutional Choice: Effects of More Open Enrolment and LMS	Open University (Professor R. Glatter; Dr. A. Hibbert)	35,910
Industrial Relations and the Local Management of Schools	Keele University (Dr. R. Seifert; Mr. M. Ironside)	43,150
LMS and School Culture: The Perceptions of Teachers, Heads and Chairs of Governors	Sheffield University (Mr. D. Shearn; Dr. R. Laughlin; Mrs. P. Broadbent)	9,970
The Effects of the Education Reform Act's Formula Funding on Resource Setting	Open University (Ms R. Levacic)	32.400
Opting for Grant-Maintained Status: A Study of Policy Making in Education	University of West of England (Dr. J. Fitz; Dr. D. Halpin)	53,071

School Budgets

Mrs. Gorman: To ask the Secretary of State for Education if he will list those local education authorities whose local management schemes contain provision for schools to carry forward budget deficits from year to year.

Mr. Robin Squire: All local education authorities are required to include provision in their local management of schools schemes for the recovery of deficits incurred by individual schools at the end of the financial year. This will normally be from the following year's budget share, except where clear practical considerations preclude recovery on this timescale.

OVERSEAS DEVELOPMENT ADMINISTRATION

South Africa

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to introduce a know-how fund for South Africa.

Mr. Lennox-Boyd: On 4 May the Secretary of State for Foreign and Commonwealth Affairs announced that we expect to provide £100 million of British assistance over the next three years. This includes £60 million of bilateral aid which will provide know-how and support to the Government of National Unity and assistance to initiatives arising from the non-government sector.

Palestine

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs how much aid *(a)* was given through Britain's bilateral aid programme to Palestine in each year between 1990 and 1993 and *(b)* will be given in

(i) 1993-94, (ii) 1994–95 and (iii) 1996-97; and in each year, how much of this aid was or will be spent (1) in the form of direct grants to local Palestinian organisations, and (2) on the provision of consultation services and technical assistance by British organisations.

Mr. Lennox-Boyd: Our bilateral aid flows to the occupied territories from 1990-91 to 1992-93 were as follows:

Year	*£ million*
1990-91	1·1
1991-92	1·5
1992-93	1·5

Apart from the British Council-managed training programme—£0·2 million in 1990-91, £0·3 million in 1991-92 and £0·4 million in 1992-93—most of the funds were disbursed through British non-government organisations—NGOs—in many cases working with local Palestinian NGO partners.

In addition we have been making an annual contribution of £6 million to the United Nations Relief and Works Agency—UNRWA—which is responsible for Palestinian refugees.

In 1993-94 we spent about £2·9 million which includes a contribution of £1·3 million to the technical assistance trust fund set up by the World bank following the signature of the Israeli/Palestinian declaration of principles.

Over the next three years our assistance to the Palestinians will be primarily through our contributions to EC aid and UNRWA. Our bilateral aid will continue to include assistance through NGOs, as well as direct help to Palestinian institutions. The exact proportions of each type of aid are not determined in advance. We aim to respond flexibly to Palestinian needs.

AGRICULTURE, FISHERIES AND FOOD

Blue Ear Disease

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food what action is being taken by Her Majesty's Government to counter blue ear disease in pigs.

Mr. Soames: The Blue Eared Pig Disease Order 1991 was revoked in November 1992, in line with an EC decision which made it clear that official control measures had become inappropriate and unnecessary. The disease was considered by veterinary experts to be of less economic significance than was orginally thought and had become milder in its effects. The United Kingdom pig industry was subsequently provided with advice which included recommended disease control measures and guidance on steps to take to deal with an outbreak. I am arranging for copies of the advice note prepared for farmers to be left in the House of Commons Library.

Milk Marketing Board

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if she will estimate how long she expects the residuary milk marketing board to continue in existence.

Mr. Jack: A residuary milk marketing board will come into existence only if an approved reorganisation scheme is implemented. My right hon. Friends, the Secretary of State for Wales and the Minister, have yet to reach a decision on whether to grant the milk marketing board's application for approval. If a residuary MMB were to take over it might need to remain in existence for six years or more, given the legal possibility which exists for product liability claims to be brought in that period.

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if she will bring forward proposals providing for milk producers to have majority representation on *(a)* the residuary milk marketing board, *(b)* the milk development council and *(c)* Genus.

Mr. Jack: The milk marketing board has proposed in its reorganisation scheme that the board of a residuary MMB should have majority producer representation. I cannot comment on individual aspects of the MMB's proposals in advance of a formal decision on whether to grant the board's application for approval but we have said that we believe producers should be strongly represented on any residuary board. If the MMB's proposals were implemented Genus would become Genus Ltd, an independent company. The constitution proposed by the MMB does not make special provision for producer representation on the board.

No decision has been taken to establish a milk development council. We are awaiting the result of the recent poll of producers.

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if she will make it her policy to promote a free market in milk supply rather than establish an arbitration mechanism.

Mr. Jack: My right hon. Friends the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales are considering, in accordance with the provisions of the Agriculture Act 1993, whether to grant the milk marketing board's application for approval of its reorganisation scheme. The question whether or not approval should be granted does not pose itself in the terms suggested.

Milk Marque

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food when she will bring forward proposals to enable the operations of Milk Marque to begin officially.

Mr. Jack: It is not for my right hon. Friend the Minister to bring forward proposals but rather to consider, together with the Secretary of State for Wales, whether to grant the milk marketing board's application for approval of its reorganisation scheme. They will announce a decision as soon as they are in a position to do so.

Fishing Nets

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 12 May, *Official Report*, columns *201-2*, what instructions have been given to inspection officers as to the conditions which must be satisfied for a net to be acceptable in which the square mesh panel is fitted forward of the flapper.

Mr. Jack: The statutory instruments to which I referred in my reply of 12 May at column *201-02* and to which my hon. Friend the Palriamentary Under-Secretary of State at the Scottish Office referred in his reply of 17 May at column *410* set out the requirements for the use of square mesh panels. Inspecting officers are instructed to enforce these SIs as part of their fisheries enforcement work.

Article 4(i)(c) of Statutory Instrument 1992 No. 1344 requires square mesh panels to be sited in the codend, or in any extension piece or immediately in front of any extension piece or, in the absence of any extension piece, immediately in front of the codend. Article 4(i)(f) additionally requires that the panels be placed forward of any flapper or with the front end of the panel to the rear of any flapper by at least three flapper lengths.

In the light of the questions raised by the hon. Member the legislation and related instructions are currently being examined by Fisheries Departments to see whether there is any need for clarification in order to ensure that the objective of the legislation, to facilitate the escape of undersized immature fish, is achieved.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what actions the Government are taking in response to breaches by the French Government of EU rules on drift-net lengths; and if she will make a statement.

Mr. Jack: It is for the Commission to ensure that member states comply with European Union law and to institute infraction proceedings as necessary.

Straw Disposal Survey

Mr. Chris Smith: To ask the Minister of Agriculture, Fisheries and Food what plans she has to undertake a survey of straw disposal and utilisation following the 1994 harvest; and what are her plans in respect of the future publication of the results of the straw disposal survey.

Mr. Jack: A survey of straw disposal is planned for the autumn of 1994 and results will be published as normal through a statistics notice. In common with all Government statistical inquiries the content and frequency of this survey is subject to regular review.

Earnings

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what were the average earnings of regular full time hired workers on holdings in the special development areas, development areas and less-favoured areas for each year since 1979.

Mrs. Gillian Shephard: I regret that the information requested is not available.

Hill Farmers

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many less-favoured area hill farmers there were on land designated *(a)* a special development area and *(b)* development area, for each year since 1979 for England as a whole and for each county.

Mrs. Gillian Shephard: The table shows estimates of the number of LFA farms classified as SDA or DA are obtained from the annual June agricultural census. This information is available on a consistent basis only for the years 1987-1993.

Number of LFA holdings (wholly or mainly in the LFA) designated as wholly or mainly SDA or DA by County

County		*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
Cheshire	SDA	181	179	181	179	178	176	174
	DA	39	39	39	39	40	41	42
Cleveland	SDA	121	120	115	108	107	106	103
	DA	18	18	19	19	20	20	20
Cornwall	SDA	168	169	163	147	147	142	140
	DA	1,342	1,355	1,352	1,222	1,205	1,190	1,172
Cumbria	SDA	1,873	1,975	1,988	1,938	1,949	1,952	1,972
	DA	611	618	610	602	605	601	610
Derbyshire	SDA	1,128	1,131	1,126	1,085	1,094	1,104	1,103
	DA	314	318	319	318	327	330	332
Devon	SDA	1,279	1,272	1,262	1,237	1,226	1,231	1,234
	DA	1,351	1,347	1,364	1,327	1,347	1,351	1,359
Durham	SDA	1,053	1,052	1,061	1,004	982	980	977
	DA	187	185	182	185	190	186	191
Hereford and Worcester	SDA	223	210	208	207	210	207	206
	DA	132	131	137	137	138	146	153
Isles of Scilly	SDA	65	68	68	62	55	50	58
	DA	0	0	0	0	0	0	0
Lancashire	SDA	1,001	997	996	936	927	923	911
	DA	766	769	778	822	827	865	860
Northumberland	SDA	1,360	1,374	1,361	1,332	1,330	1,329	1,316
	DA	189	185	185	181	187	185	183
Shropshire	SDA	433	420	414	411	414	440	449
	DA	325	325	320	292	295	294	301
Somerset	SDA	369	381	395	376	365	357	355
	DA	50	48	48	46	45	47	46
Staffordshire	SDA	323	325	323	319	320	321	326
	DA	717	720	713	664	657	664	670
Greater Manchester	SDA	128	134	138	144	155	162	162
	DA	101	102	106	148	157	170	172
South Yorkshire	SDA	82	83	95	94	94	91	92
	DA	140	150	169	165	169	170	170
North Yorkshire	SDA	1,528	1,515	1,514	1,495	1,495	1,508	1,519
	DA	745	741	749	747	767	769	767
West Yorkshire	SDA	1,173	1,144	1,176	1,095	1,109	1,094	1,095

County		1987	1988	1989	1990	1991	1992	1993
	DA	205	237	256	250	260	258	255
England	SDA	12,488	12,549	12,584	12,169	12,157	12,173	12,192
	DA	7,232	7,288	7,346	7,164	7,236	7,287	7,303

Footnotes:

Source: June Agricultural Census of main holdings. The last minor holdings survey was carried out in 1989, as a result of which a number of holdings were removed from the register of main holdings in 1990.

Very small areas of land have been amalgamated with the LFA areas in adjacent counties in order to avoid disclosure

SDA are holdings with at least half their land in the LFA and at least half of this is the SDA

DA are holdings with at least half their land in the LFA and more than half of this in the DA

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many less-favoured area hill farmers there were for each year since 1979 for England and each county *(a)* over eight European size units and *(b)* below eight ESUs.

Mrs. Gillian Shephard: Estimates of the number of farms wholly or mainly in the LFA, classified by the two ESU size groups, are contained in the table. This information is available on a consistent basis only for the years 1987-1993.

Number of LFA holdings (wholly or mainly in the LFA) by county and ESU size groups

County	ESU size group	1987	1988	1989	1990	1991	1992	1993
Cheshire	<8 ESU	105	103	107	104	110	103	107
	>=8 ESU	115	115	113	114	108	114	109
Cleveland	<8 ESU	37	40	42	34	40	37	37
	>=8 ESU	102	98	92	93	87	89	86
Cornwall	<8 ESU	792	825	828	710	713	704	680
	>=8 ESU	718	699	687	659	639	628	632
Cumbria	<8 ESU	602	677	690	643	645	678	712
	>=8 ESU	1,882	1,916	1,908	1,897	1,909	1,875	1,870
Derbyshire	<8 ESU	627	650	646	614	644	663	661
	>=8 ESU	815	799	799	789	777	771	774
Devon	<8 ESU	1,160	1,148	1,162	1,115	1,158	1,158	1,209
	>=8 ESU	1,470	1,471	1,464	1,449	1,415	1,424	1,384
Durham	<8 ESU	461	459	462	419	431	429	441
	>=8 ESU	779	778	781	770	741	737	727
Hereford and Worcester	<8 ESU	123	124	125	127	134	130	130
	>=8 ESU	232	217	220	217	214	223	229
Isles of Scilly	<8 ESU	28	32	31	26	19	19	20
	>=8 ESU	37	36	37	36	36	31	38
Lancashire	<8 ESU	702	707	731	721	720	737	721
	>=8 ESU	1,065	1,059	1,043	1,037	1,034	1,051	1,050
Northumberland	<8 ESU	384	404	403	363	374	364	363
	>=8 ESU	1,165	1,155	1,143	1,150	1,143	1,150	1,136
Shropshire	<8 ESU	288	291	274	262	266	285	293
	>=8 ESU	470	454	460	441	443	449	457
Somerset	<8 ESU	177	187	204	190	192	184	181
	>=8 ESU	242	242	239	232	218	220	220
Staffordshire	<8 ESU	471	495	502	448	441	451	463
	>=8 ESU	569	550	534	535	536	534	533
Greater Manchester	<8 ESU	110	117	121	150	165	174	181
	>=8 ESU	119	119	123	142	147	158	153
South Yorkshire	<8 ESU	79	81	98	96	102	100	104
	>=8 ESU	143	152	166	163	161	161	158
North Yorkshire	<8 ESU	563	574	596	578	604	641	663
	>=8 ESU	1,710	1,682	1,667	1,664	1,658	1,636	1,623
West Yorkshire	<8 ESU	887	880	925	837	856	839	843
	>=8 ESU	491	501	507	508	513	513	507
England	<8 ESU	7,596	7,794	7,947	7,437	7,614	7,696	7,809
	>=8 ESU	12,124	12,043	11,983	11,896	11,779	11,764	11,686

Footnotes:

Source: June Agricultural Census of main holdings. The last minor holdings survey was carried out in 1989, as a result of which a number of holdings were removed from the register of main holdings in 1990.

Very small areas of land have been amalgamated with the LFA areas in adjacent counties in order to avoid disclosure.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many less-favoured area hill farmers of *(a)* less than eight European size units and *(b)* over eight ESUs operate as a proportion of all LFA hill farmers and all farmers in the English LFA and in each county.

Mrs. Gillian Shephard: The table shows, for each county in England, the number of holdings wholly or mainly in the LFA which are less than eight ESU and more than or equal to eight ESU as a proportion of all holdings that are wholly or mainly in the LFA. In addition it shows the number of holdings wholly or mainly in the LFA as a proportion of all holdings with land in the LFA.

June 1993	*Proportion of the number of holdings (wholly or mainly in the LFA)*		*Number of holdings (wholly or mainly in the LFA) as a proportion of all holdings in the LFA*
	less than 8 ESUs Percentage	*8 ESUs or more Percentage*	*Percentage*
Cheshire	49·5	50·5	89·6
Cleveland	30·1	69·9	93·2
Cornwall	51·8	48·2	87·2
Cumbria	27·6	72·4	80·6
Derbyshire	46·1	53·9	96·3
Devon	46·6	53·4	95·5
Durham	37·8	62·2	97·7
Hereford and Worcester	36·2	63·8	79·8
Isles of Scilly	34·5	65·5	100·0
Lancashire	40·7	59·3	92·9
Northumberland	24·2	75·8	91·6
Shropshire	39·1	60·9	83·4
Somerset	45·1	54·9	93·0
Staffordshire	46·5	53·5	95·6
Greater Manchester	54·2	45·8	93·8
South Yorkshire	39·7	60·3	96·0
North Yorkshire	29·0	71·0	90·6
West Yorkshire	62·4	37·6	94·5
ENGLAND	40·1	59·59	90·8

Notes:

The proportions are based on counts of holdings.

Source: 1993 June Agricultural Census of main holdings.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the average occupancy rate of a hill farm in England.

Mrs. Gillian Shephard: I regret that the information requested is not available.

Upper Limb Disorders

Dr. Marek: To ask the Minister of Agriculture, Fisheries and Food what is the present number of civil servants taking legal action against her Department as a result of work-related upper limb disorders.

Mr. Jack: There is currently one case of legal action being undertaken against this Ministry in relation to an alleged work-related upper limb disorder.

Animal Transportation

Mrs. Roche: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement about the transport of live animals.

Mr. Soames *[holding answer 23 May 1994]:* I refer to the reply which I gave to the hon. Members for Worsley (Mr. Lewis) and for Sunderland, South (Mr. Mullin) on 24 March 1994 at column *370.*

Written Answers to Questions

Wednesday 25 May 1994

LORD CHANCELLOR'S DEPARTMENT

Consultants

Ms Primarolo: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. John M. Taylor: On the best information currently available expenditure on external consultants in 1992-93 was £3·455 million. It is not possible to isolate management and financial consultants as our records do not identify them in this way.

Mobile Telephones

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 11 May, *Official Report*, column *139*, what was the cost of the calls made on *(a)* car telephones and *(b)* portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. John M. Taylor: In 1993-94, the cost of calls made on car telephones was £4,621; and the cost of calls made on portable telephones was £35,023. The capital cost of this equipment was £113,547. The maintenance costs, that is, the fixed charges, for the same year were £111,644.

Gazumping

Dr. Spink: To ask the Parliamentary Secretary, Lord Chancellor's Department what evidence he has of the current extent of gazumping of house purchasers; and what plans he has to control this.

Mr. John M. Taylor: No records are kept of the number of transactions in which "gazumping" occurs. The existing law is sufficiently flexible to allow the use of a variety of procedures or devices which preclude "gazumping", and buyers and sellers are free to adopt whichever best suits their needs. There are no plans to restrict this freedom.

ENVIRONMENT

Special Protection Areas

Mr. Denham: To ask the Secretary of State for the Environment what are the grounds on which an area may be excluded from a proposed special protection area under the European Union birds directive.

Mr. Atkins: Judgments by the European Court of Justice indicate that member states of the European Community have a margin of discretion in the selection of special protection areas and in the determination of their boundaries. The margin of discretion has not been defined by the court. Article 2 of the birds directive—79/409/EEC—requires member states to take requisite measures to maintain bird populations while taking account of economic and recreational requirements.

Mr. Denham: To ask the Secretary of State for the Environment (1) what advice he has received from English Nature as to whether the intertidal mudflats of Tipner lake within Portsmouth harbour qualify on scientific grounds for inclusion within the proposed special protection area and Ramsar site;

(2) when he expects to designate Portsmouth harbour as *(a)* a special protection area under the European Union birds directive and *(b)* as a Ramsar site.

Mr. Atkins: English Nature has advised that the potential Portsmouth harbour special protection area and Ramsar site is of special importance within the United Kingdom and the European Union for the range of wildfowl and wader species which use the site. In particular, it contains internationally important numbers of regularly occurring migratory species of wild birds, including dark-bellied brent goose, red-breasted merganser, black-tailed godwit and dunlin. English Nature advises also that the area within Tipner lake which falls within the proposed SPA boundary is an integral part of that site.

My right hon. Friend expects to designate an area of Portsmouth harbour as a special protection area and Ramsar site later this year after considering representations received.

Clay Target Shooting

Mr. Chris Smith: To ask the Secretary of State for the Environment when he will publish the results of research by the Building Research Establishment on public response to noise from clay target shooting; what further research is planned on the subject; and whether he will now approve the draft code of practice on clay target shooting under the Control of Pollution Act 1974.

Mr. Atkins: Preliminary studies on response to clay target shooting noise were carried out by the Building Research Establishment, but, having regard to competing research priorities and the likely outputs from the project, it has not been pursued.

I do, however, recognise that there is some concern about this issue. In July 1993 the Institution of Environmental Health Officers, the Clay Pigeon Shooting Association and the British Shooting Sports Council were asked to produce an agreed code of practice on this activity. It was made clear that if an agreed code could not be produced then the decision not to introduce further restrictions over clay target shooting under the general development order would be reconsidered. I understand that the organisations involved hope to reach agreement on such a code in the near future. It will be for these organisations to decide whether the code is subsequently submitted for approval by the Secretary of State under section 71 of the Control of Pollution Act 1974.

Hazardous Waste

Mr. Cohen: To ask the Secretary of State for the Environment (1) what discussions his Department has had with the United States authorities regarding the disposal of hazardous wastes shipped to the United Kingdom for disposal from bases of the United States armed forces in Europe;

(2) if he will make a statement on the nature and quantities of hazardous wastes shipped to the United Kingdom for disposal from bases of the United States armed forces in Europe;

(3) by what means hazardous wastes that have been shipped to the United Kingdom from bases of the United States armed forces in Europe are disposed of.

Mr. Atkins: There have been no recent discussions between my Department and the United States authorities on the disposal of hazardous wastes from bases of the United States armed forces in Europe.

Notifications for the importation into the United Kingdom of hazardous wastes from such bases were received by Torfaen borough council in March. The notifications were for the disposal at Rechem's high temperature incinerator at Pontypool of the following:

formaldehyde, liquid pesticide (pyrethrin), adhesive, paint (laboratory waste):—1× 20,000kg consignment.

dilute nitric acid, acetic acid, sulphuric acid, ferric chloride solution (laboratory waste):—1× 20,000kg consignment.

cresylic acid and laboratory chemicals: sodium carbonate, magnesium chloride, sodium oxalate (laboratory waste):—1× 20,000kg consignment.

polychlorinated biphenyls (from redundant electrical equipment):—3× 60,000kg consignments; 4× 40,000kg consignments.

Rented Housing

Mr. Gapes: To ask the Secretary of State for the Environment how many representations, and from what organisations, the Government have received about their consultative document on access to local authority and housing association tenancies.

Sir George Young: We have now received nearly 10,000 responses from a wide variety of organisations, including local authorities, housing associations, and bodies campaigning on behalf of specific interests, as well as from individual members of the public.

Mr. Gapes: To ask the Secretary of State for the Environment (1) when the Government will publish their response to public representations about their consultative document on access to local authority and housing association tenancies;

(2) what is the Government's response to the public representations about their consultative document on access to local authority and housing association tenancies.

Sir George Young: I refer to the answer I gave to the hon. Member for Stockport (Ms Coffey) on 18 May, *Official Report*, column *796*.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for the Environment what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Baldry: Two.

Tenancy Agreements

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) how many local authority tenants in 1993 took legal action against their landlords for failing to satisfy the terms of the tenancy agreement; how many of these cases resulted in court action, and how many of the cases which resulted in court action were found in favour of the tenant;

(2) how many local authority tenants were taken to court by their landlords in 1993 for breach of the tenancy agreement;

(3) how many complaints of noise disturbance from local authority tenants went to court last year; and in how many of these cases the court found in favour of the tenant.

Sir George Young: This information is not held centrally.

Liverpool Housing Action Trust

Mr. Kilfoyle: To ask the Secretary of State for the Environment how much the Liverpool housing action trust has spent on consultants' fees since its inception.

Sir George Young: This is a matter for the Liverpool housing action trust. The chief executive will write to the hon. Member.

Nuclear Waste

Mr. Llew Smith: To ask the Secretary of State for the Environment (1) what evaluation he has commissioned of the prospective public expenditure savings arising from the announced reduction by United Kingdom Nirex Ltd. of the capacity of the planned national repository for nuclear waste;

(2) what discussions he has had with the Chancellor of the Exchequer, and what interdepartmental discussions have taken place, on the cost implications of the proposed national repository for radioactive waste; and if he will place in the Library a copy of the review of the costs of the repository.

Mr. Atkins: Questions relating to the sponsorship of Nirex are a matter for my right hon. Friend the President of the Board of Trade. However, the cost implications of Nirex's proposed repository will be considered in the radioactive waste management review, announced by my right hon. Friend the Secretary of State for the Environment on 19 May, *Official Report*, columns *535-36*. The Department proposes to publish the preliminary conclusions of the review later in the summer, as a basis for consultation.

Green Ministers

Mr. Llew Smith: To ask the Secretary of State for the Environment when the most recent meeting of Green Ministers was held; what matters were discussed; and what decisions were taken.

Mr. Atkins: Green Ministers met on 18 May 1994 to discuss progress on green housekeeping. Ministers agreed to keep their departmental strategies up to date, to revise their purchasing guidance to emphasise environmental factors including the use of recycled paper in packaging, to improve energy usage, and to assess the practicality of developing environmental management systems. Ministers agreed to meet again later in the year to review progress.

DNA Bank

Mr. Llew Smith: To ask the Secretary of State for the Environment what evaluation he has made of the environmental implications of the location of the first European DNA bank at Whitehaven.

Mr. Atkins: I am not aware of any environmental implications of this data bank.

Natural Gas Vehicles

Mr. Jamieson: To ask the Secretary of State for the Environment what representations he has received concerning the conversion of vehicles to run on natural gas; and if he will make a statement about the benefits for the environment and air pollution of natural gas vehicles.

Mr. Atkins: My Department has received a number of interesting representations about vehicles fuelled by natural gas. It is clear that such vehicles can be quieter than conventional vehicles and that they can give rise to relatively low emissions of gaseous pollutants. There may be scope for them to offer a useful contribution towards environmental improvement.

Written Answers

Mr. Rathbone: To ask the Secretary of State for the Environment what is the average cost of preparing written answers to parliamentary questions to his Department.

Mr. Baldry: Parliamentary questions are answered within the financial guidelines issued by the Treasury. No records are kept of the costs incurred in answering individual questions where the amounts involved are not in excess of these limits.

Planning Inspectorate Agency

Mr. Waterson: To ask the Secretary of State for the Environment what performance targets he has set for the Planning Inspectorate Agency for the financial year 1994-95.

Mr. Baldry: The key objectives for the agency in 1994-95 remain to preserve the impartiality and quality of the inspectorate's work while seeking further to improve efficiency. I have set the following further key targets for the agency's work in England:

Timeliness:

(*a*) 80 per cent. of planning appeals by written representations to be decided within 18 weeks;

(*b*) To provide an inspector for local plan inquiries when requested within 26 weeks of the end of the objection period;

Financial:

(*a*) Unit costs of planning appeals decided by written representations to be held at or below £690;

(*b*) Recover 90 per cent. of receipts due within 8 weeks of invoice date;

Efficiency:

Generate a 3 per cent. efficiency improvement in running costs, as compared with 1993-94;

Quality:

(*a*) The number of justified complaints about the way Inspectors have carried out their duties, and the number of High Court challenges, should be less than one in every hundred decisions issued;

(*b*) The number of justified complaints about the way the Inspectorate handled the procedural aspects of casework should be less than one in every hundred cases received;

Volume:

To determine 15,500, appeals, subject to intake not declining;

Information and Guidance:

To complete a third customer survey by 31 December 1994.

These and other performance targets for the agency will be included in its business plan for 1994-95 which will be published shortly.

Separate targets for the agency's work in Wales are being announced today by my right hon. Friend the Parliamentary Under-Secretary of State for Wales.

Coal Privatisation

Mrs. Angela Knight: To ask the Secretary of State for the Environment what amendments he proposes to make to the Town and Country Planning General Development Order as a consequence of coal privatisation.

Mr. Baldry: It is essential that the planning system should provide continuity for the privatised industry, but it is equally important that operators should take responsibility for restoring sites once mining operations have ceased. We have today published for consultation draft amendments to the GDO and associated draft guidance which will provide such a framework.

Mines started before 1 July 1948 derive their planning permission from the general development order and surface development carried out at GDO mines before 1988 have no restoration conditions attached. The permission is personal to British Coal and its lessees or licensees.

After privatisation, in addition to the planning permission operators will need a licence from the Coal Authority unless they have an existing licence from British Coal.

As the existing GDO permission is personal to British Coal and its lessees or licensees, the GDO will need to be amended to grant permitted development rights for licensees of the Coal Authority to continue underground mining at GDO mines, otherwise there would be no planning permission for the continued extraction of coal at such sites.

The Coal Industry Bill provides a power for my right hon. Friend to attach conditions to the GDO permission for underground working requiring the restoration and aftercare of the pithead surface area. We propose that the new GDO permission for licensees of the Coal Authority for continued underground mining will be subject to such conditions. These will require the operator to submit a scheme for the restoration and aftercare of the site for the mineral planning authority's approval.

There are also a number of minor technical amendments needed to the GDO, broadly to change references to British Coal to the Coal Authority and to update definitions in line with the Coal Industry Bill.

I believe these proposals will provide the necessary planning continuity for the industry and ensure that sites are restored to a beneficial use once mining operations cease.

Sulphur Emissions

Mr. David Martin: To ask the Secretary of State for the Environment whether the United Kingdom intends to sign the new United Nations Economic Commission for Europe protocol on reducing sulphur emissions; and if he will make a statement.

Mr. Gummer: Yes. I plan to attend the ministerial session of the executive body of the convention on long-range transboundary air pollution in Oslo on 13-14 June and to sign for the United Kingdom the new protocol on the further reduction of sulphur emissions. The text of the protocol will be published as a Command Paper and laid before Parliament in due course.

Based on the concept of critical loads, which the United Kingdom played a leading part in developing, the protocol will require parties to reduce their sulphur emissions by specified amounts, depending in part on the quantity of their emissions and on the nature of their impact on the environment across Europe. The United Kingdom's obligations will be to make reductions, against 1980 emission levels, of 50 per cent. by 2000, 70 per cent. by 2005 and 80 per cent. by 2010.

These are challenging targets which will substantially deal with acidification problems in the United Kingdom within the time frame of our sustainable development strategy, in addition to providing substantial benefits for other European countries affected by our emissions. The targets will provide a stable long-term framework for planning by Government and industry. While it is possible that developments in the economy at large may result in earlier achievement of the targets, our national strategy and policies will be based firmly on the targets and timescales set out in the protocol.

Other key obligations in the new protocol will be for parties:

to apply specified emission limit values to major new combustion sources (ie. those whose construction is authorised after 31 December 1995);

to set specified national standards for the sulphur content of gasoil two years after entry into force of the Protocol;

for existing large combustion plants above 500 MW_{th}, to apply the specified emission limit values from 1 July 2004 subject to not entailing excessive costs or to apply equivalent emissions limitations as defined in the Protocol or to apply "other appropriate provisions" which deliver the necessary reductions;

for existing large combustion plants of 50-500 MW_{th}, to use the specified emission limit values as guidance from 1 July 2004;

to produce within six months of entry into force of the Protocol a national strategy setting out how they will achieve their reductions;

to submit reports on measures taken and progress in meeting the reduction targets;

for the UNECE to review progress in 1997.

The protocol also establishes a compliance committee which will monitor the delivery of the agreed targets.

The Government warmly welcome this protocol which will bring substantial environmental benefits. The effect of the protocol's provisions is to leave the United Kingdom general flexibility to decide how to meet our obligations and will place no new obligations on us as to the means by which the sulphur emissions reductions are to be secured. In particular, for existing plant, the terms of the protocol will allow us to maintain the approach taken in the United Kingdom's national plan under the EC large combustion plants directive and also allow the use of economic instruments. Therefore the provisions of the protocol will be without prejudice to HMIP's obligations under the Environmental Protection Act 1990 to apply BATNEEC —best available techniques not entailing excessive cost —in deciding on authorisations on a site-by-site basis. Our strategy for implementing the protocol, on which we shall be consulting in due course, will met our obligations in a way which is cost-effective, appropriate to our national circumstances, and consistent with our economic and environmental objectives.

Capital Receipts

Mr. Vaz: To ask the Secretary of State for the Environment if he will list the results of the capital receipts holiday which ended on 31 December 1993 for each local authority, with the amounts raised.

Mr. Curry *[pursuant to his answer, 11 May 1994, Official Report, column 170]:* I regret that one figure for the London borough of Lewisham was given incorrectly. I have arranged for a revised table to be placed in the Library of the House.

Local Government Finance

Mr. Straw: To ask the Secretary of State for the Environment if he will list *(a)* the budgeted change in balances 1993-94, *(b)* the revised estimated change in balances 1993-94, *(c)* the estimated change in balances 1994-95, *(d)* the level of balances of financial reserves as at 31 March 1994 and *(e)* the estimated level of balances or financial reserves as at 31 March 1995 for each local authority and in total; and if he will state the sources of the information.

Mr. Gummer: The latest available information as reported for each local authority is given in tables which I have arranged to be placed in the Library of the House. The estimated change in balances in 1993-94 and levels at 1 April 1994 are subject to substantial amendment as authorities finalise their accounts; in general the amount actually drawn down from reserves is substantially less than suggested by local authorities' initial budgets. This is illustrated by the total figures given in the table; 1991-92 and 1992-93 figures have been added as these are the last years for which final figures are available.

Revenue reserves, all England local authorities
Use of balances

	Budget (1) £ million	*Revised Estimate* (2) £ million	*Outturn* (3) £ million
1991-92	–593	–781	–171
1992-93	–580	–571	280
1993-94	–536	–447	n/a
1994-95	–775	n/a	n/a

Level of Reserves
Estimate made:

	One year in advance (4) £ million	*Current (5) £ million*	*One year later (6) £ million*	*Two years later (7) £ million*
31 March—1 April 1991	1,965	2,589	3,500	3,501
31 March—1 April 1992	1,995	2,719	3,410	2,908
31 March—1 April 1993	2,138	2,838	3,625	n/a
31 March—1 April 1994	2,302	3,178	n/a	n/a
31 March—1 April 1995	2,403	n/a	n/a	n/a

Sources

Column (1)	DOE/CIPFA General Fund Revenue Accounts (RA) return for the year, budgeted figure.
Column (2)	RA return for following year, revised estimate figure.
Column (3)	Revenue Summary (RS) return for the year, outturn figure. 1992-93 figure is provisional.
Column (4)	RA return for the year up to 1 April; implied figure from revised estimate year (Column 6) and estimated and budgeted changes over two years.
Column (5)	RA return for the year starting 1 April; implied figure from revised estimate for level at beginning of year and revised estimate of change during year.
Column (6)	RA return for the year starting on the following 1 April; revised estimate figure.
Column (7)	RS return for the year starting 1 April. 1 April 1992 figure is provisional.

Notes:

Figures include Local Management of Schools and Colleges reserves. Outturn changes may not correspond with implied changes in outturn levels as authorities may further amend their accounts after submitting RS returns.

Local and Regional Government

Mr. Straw: To ask the Secretary of State for the Environment if he will publish a table showing the amount and proportion of general government expenditure which is *(a)* directly controlled by and *(b)* partly or indirectly controlled by institutions of local and/or regional government, in each country of the European Union, with averages for the European Union as a whole.

Mr. Nelson: I have been asked to reply.

Information on the degree of control is not available. However, total local government as a percentage of general government expenditure is shown in the table for the year 1991, the latest published year. The information given is under the European system of accounts definitions which allows for comparison of European Union countries on the same basis.

National currency of country

millions

Countries	*Local government expenditure[1] (A)*	*General government expenditure[1] (B)*	*(A) shown as a percentage of (B)*
Belgium	426526	3674880	11·6
Denmark	255354	622986	41·0
Netherlands	83860	368800	22·7
Greece	[4]—	[4]—	[4]—
Spain[2] (1990)	4805·7	24156·2	19·9
France	594·3	3629·9	16·4
Ireland	[4]—	[4]—	[4]—
Italy	185414	887240	20·9
Luxembourg	[4]—	[4]—	[4]—
Germany[3]	150880	1273490	11·9
Portugal	[4]—	[4]—	[4]—
United Kingdom	67429	288796	23·3
Arithmetic average of above percentages			21

[1] Defined as total within the distribution of income account and current transaction account.

[2] Data for Local Government includes a figure of autonomous communities.

[3] Lander are not included in Local Government, under ESA definitions.

[4] No data available.

Source: Eurostat National Accounts – Detailed Accounts by Sector 1980 to 1991 – tables 2 (Overview of sector accounts).

PRIME MINISTER

Baroness Thatcher (Visits)

Mr. Tom Clarke: To ask the Prime Minister if he will list the names and companies of all the representatives of British companies who accompanied the former Prime Minister during her visit to Jordan in September 1985.

The Prime Minister: As far as I am aware, no representatives of British companies accompanied the Prime Minister on this visit.

TRANSPORT

Porous Asphalt

Mr. Mike O'Brien: To ask the Secretary of State for Transport (1) what studies his Department has undertaken into the use of porous asphalt in the United Kingdom;

(2) on how many occasions in the last five years where commercial vehicles are likely to use a motorway, at the rate of over 4,000 vehicles per lane per day, permission has been given for the use of porous asphalt in the construction of the road;

(3) if he will set out the criteria by which decisions have been made to use porous asphalt on motorways, or other developments, in the United Kingdom in the last five years;

(4) if he will list the developments where porous asphalt was used on motorways and trunk roads in the last 10 years;

(5) what EC directives or regulations relate to the use of porous asphalt on motorways or trunk roads.

Mr. Key: These five questions concerning the use of porous asphalt relate to operational matters of the Highways Agency. I have asked the chief executive, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Mike O'Brien, dated 20 May 1994:

The Minister for Roads and Traffic, Mr. Robert Key, has asked me to write to you in response to the five questions you asked relating to the use of porous asphalt.

The Department, in conjunction with TRL and industry, has been investigating the design and production of porous asphalt surfacings for many years including taking account of developments abroad. This work included laboratory tests as well as longer term road trials to optimise the performance of porous asphalt. These trials included sites on the A38 at Burton on Trent, the M1 south of Leeds and the M6 north of Junction 18 in Cheshire.

The successful outcome of these trials led to the Minister's announcement on 28 July 1992, that porous asphalt surfacing could be used on schemes in future where the conditions were suitable, benefits outweigh the higher cost and the needs for more expensive winter maintenance and more frequent resurfacing. Porous asphalt is not suitable for use on all roads. The criteria on which decisions are based for adopting porous asphalt surfacings are set out in Volume 7 of the Department's Design Manual for Roads and Bridges at document HD27/94 entitled "Pavement Construction Methods" and published in January 1994. These advise it is not used where traffic exceeds 4,000 commercial vehicles per lane per day.

Use of porous asphalt surfacing has been approved for a number of schemes within criteria laid down. Additionally, use has been approved on two lengths of the M25 where the traffic exceeds 4,000 commercial vehicles per lane per day in order to gain experience of the more durable mixtures at higher traffic levels.

Apart from the trial applications mentioned above, two other projects are under construction where porous asphalt is due to be laid. The schemes are:

A5 Fazely-Two Gates-Wilnecote BP
A50 Blyth Bridge-Queensway Improvement

The above information relates purely to roads in England. Porous asphalt has also been laid by local authorities on roads for which they are responsible.

Use of porous asphalt, as with any other surfacing material, is subject to EC directives and regulations on safety. Additionally specifiers are bound within the Public Procurement Directive. In accordance with this requirement the Technical guidance, as given in document HD27/94, was notified to the EC under the terms of the Notification Directive.

Shipping

Mr. Austin Mitchell: To ask the Secretary of State for Transport what instructions are in force on the nationalities of crew and officers of fishing and merchant vessels registered under the national flags of *(a)* Denmark, *(b)* Italy, *(c)* Greece, *(d)* Germany and *(e)* the Netherlands.

Mr. Norris: With regard to merchant vessels I refer the hon. Member to the reply I gave to the hon. Member for Wallasey (Ms Walley) on 28 April, *Hansard,* column *598.* The Department does not collect information on manning requirements for fishing vessels.

Mr. Austin Mitchell: To ask the Secretary of State for Transport how many foreign-owned merchant and fishing vessels are registered under the national flags of *(a)* France, *(b)* Germany, *(c)* Denmark and *(d)* the Netherlands.

Mr. Norris: The Government do not collect these data. To obtain reliable information from other sources would involve disproportionate cost.

M62 Relief Road

Mr. Sumberg: To ask the Secretary of State for Transport (1) how many properties have been purchased by his Department within the Bury, South constituency arising out of his proposals for the M62 relief road;

(2) how many properties have been let by his Department within the Bury, South constituency arising out of his proposals for the M62 relief road; and how many of such properties have their rent paid in whole or in part out of public funds.

Mr. Key: These are operational matters for the Highways Agency. The chief executive has written to my hon. Friend.

Letter from Lawrie Haynes to Mr. David Sumberg, dated 23 May 1994:

I refer to your two questions to the Secretary of State for Transport tabled in the House for written reply on 20 May, about properties purchased and let in connection with the proposed M62 Relief Road. As Robert Key has explained to the House, these are operational matters on which I have been asked to reply.

We have now completed purchase on 89 properties within the Bury South constituency. Of these, 17 have been let by our interim letting agent. As far as we are aware, none of these properties has their rents paid in whole or part, from public funds. In all cases our letting agents have provided an employer's reference for the tenant.

As I explained in a previous reply, a full management agreement will be offered for tender shortly. The present agents are having to deal with a large number of properties becoming available over a short period. In addition, we are finding that some properties require repair and maintenance before they are in a suitable condition for letting.

Channel Tunnel Rail Link

Mr. Harvey: To ask the Secretary of State for Transport (1) what was the *(a)* budgeted and *(b)* actual expenditure on the abandoned King's Cross station project;

(2) what was the *(a)* budgeted and *(b)* actual expenditure on the abandoned south London route alignment to the channel tunnel.

Mr. Freeman: I refer the hon. Member to the answer which I gave on 27 January 1994, *Official Report,* column *393.* Figures for budgeted, as opposed to actual expenditure, are not readily available.

RAF Northolt

Mr. Wilkinson: To ask the Secretary of State for Transport what proposals he has to increase the daily number of civil aircraft movements permitted at Royal Air Force Northolt; what discussions he has held on these proposals with the Secretary of State for Defence; and what consultation he has had with the local hon. Member or neighbouring residents about them.

Mr. Norris: There are no such proposals.

West Coast Main Line

Mr. Wilson: To ask the Secretary of State for Transport if he will instruct the Franchising Director to include the existing sleeper services between Scotland and England in the contract with operators of the west coast main line.

Mr. Freeman: My right hon. Friend has instructed the Franchising Director that his specification of minimum service levels for railway passenger services is to be based on that being provided by BR immediately prior to franchising, taking into account the existence of and justification for seasonal variations in service schedules. The Franchising Director will consult the appropriate local authorities and rail users consultative committees on his proposals for the minimum service specifications for franchised operations on the west coast main line in due course.

Transport and Environmental Strategy

Mr. Jim Cunningham: To ask the Secretary of State for Transport if he will make it his policy to provide a long-term integrated transport and environmental strategy after consultation with the Secretary of State for the Environment.

Mr. MacGregor *[holding answer 24 May 1994]:* "Sustainable Development: the UK Strategy", which was the result of detailed discussions between my right hon. Friend the Secretary of State for the Environment and me, set out the principles by which the Government develop their transport policies. These include the following aims:

> —To strike the right balance between the ability of transport to serve economic development and the ability to protect the environment and sustain further quality of life.
>
> —To provide for the economic and social needs for access with less need for travel.
>
> —To take measures which reduce the environmental impact of transport and influence the rate of traffic growth.
>
> —To ensure that users pay the full social and environmental cost of their transport decisions, so improving the overall efficiency of those decisions for the economy as a whole and bringing environmental benefits.

We are pursuing a range of policies consistent with these aims.

Naval Exercises (English Channel)

Mr. Redmond: To ask the Secretary of State for Transport if he will make a statement about the closure to traffic of an area of the English channel on 5 and 6 April due to a Sea Wolf missile failing to explode during a Royal Navy exercise.

Mr. Hanley: I have been asked to reply.

I refer the hon. Member to the answer I gave to him on 4 May, *Official Report*, column *550*.

HOME DEPARTMENT

Hypnosis

Mr. Booth: To ask the Secretary of State for the Home Department if he will make a statement about the use of hypnosis by the police in obtaining evidence for the courts.

Mr. Charles Wardle: Methods of investigation are a matter of operational discretion for chief officers of police. In 1988 the Home Office issued guidance to the police discouraging the use of hypnosis in the investigation of offences, on the grounds that evidence obtained by this method would be likely to be both unreliable and inadmissible in court, as well as carrying a risk of harm to the witness. We have no plans to issue further guidance on this subject.

Alcohol-related Crime

Mr. Milburn: To ask the Secretary of State for the Home Department what statistical information his Department maintains about alcohol-related crime.

Mr. Maclean: The Home Office collects information on the number of offences of driving after consuming alcohol or taking drugs. Numbers of offences of causing death by careless driving when under the influence of drink or drugs are included with the number of offences of causing death by dangerous driving. The figures are published in Home Office Statistical Bulletins "Motoring Offences" and "Notifiable Offences", copies of which are held in the Library.

The 1988 British Crime Survey provides some evidence on how many victims of violent crime said the offender was drunk. Of all the violent incidents covered in the survey, 44 per cent. were said to involve a drunken offender. One out of two victims of street assaults cited a drunken offender, and four out of 10 female victims of domestic violence did so.

Wheel Clamping

Mr. Spellar: To ask the Secretary of State for the Home Department when he expects to make a statement on the outcome of his Department's consultation paper, "Wheelclamping on Private Ground."

Mr. Maclean: We are still considering the possible options for regulating wheel clamping on private land and will make our conclusions known as soon as possible.

Immigration Detainees

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many people entering the United Kingdom in 1993 were detained by immigration officials; and from this figure what percentage were released without charge.

Mr. Charles Wardle: The available information relates to passengers detained overnight or longer, and there were 5,571 such persons in 1993. Persons detained under Immigration Act powers are generally not charged with a criminal offence, but on release are either removed from the country or granted leave to enter. There is no central record of how such cases are resolved.

Greyhounds

Mr. Meale: To ask the Secretary of State for the Home Department (1) pursuant to his answer of 12 April, *Official Report*, columns *2-3*, for how much longer the project licence issued under the Animals (Scientific Procedures) Act 1986 for the use of non purpose-bred greyhounds in research will be valid;

(2) if any of the greyhounds used in scientific procedures in 1992 were ex-greyhound racing registered dogs;

(3) if any exemptions have been granted under article 10(3) of the Animals (Scientific Procedures) Act 1986 to allow the use of non purpose-bred greyhounds since 1992-93.

Mr. Charles Wardle: The project licence in question terminates on 1 June 1994.

In 1992, 10 procedures were carried out on four greyhounds which were racing registered at the time of the study. We are not aware that any of the other non purpose-bred dogs used in procedures in 1992 were ex-racing registered dogs.

No exemptions have been granted since 1992-93. This would not preclude the use of non purpose-bred greyhounds under project licences previously issued.

Special Police Protection

Mr. Nigel Jones: To ask the Secretary of State for the Home Department how many *(a)* royal households and *(b)* special households in total attract police protection in the United Kingdom.

Mr. Howard: For security reasons it would not be right to provide any details of the properties concerned.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for the Home Department what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Howard: There are five members of staff in the main Home Office who are currently taking legal action against the Department as a result of work-related upper limb disorders.

I have asked the Director General of the Prison Service to write to the hon. Member about the number of such legal actions being taken in the Prison Service.

Police Officer Activities (Report)

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on the reports of activities of a police officer, details of which have been sent to him.

Mr. Charles Wardle: I understand from the Commissioner that he is considering the paper forwarded to him by my hon. Friend.

Immigration

Dr. Lynne Jones: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 May *Official Report*, columns *10-11* on leave to remain on the basis of a common law relationship, *(a)* how many of the partnerships had children and *(b)* how many of the relationships had been in existence for more than four years.

Mr. Charles Wardle: The information requested is not available in the statistics.

Prison Staff Ratios

Dame Jill Knight: To ask the Secretary of State for the Home Department what is the present ratio of prisoners to prison officers, taking into account staff away on escort duties, in court and on sick leave.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Dame Jill Knight, dated 25 May 1994:

The Home Secretary has asked me to reply to your recent Question about the ratio of prisoners to prison officers, taking into account staff away on escort duties, in court and on sick leave.

The ratio of prisoners to prison officers varies between establishments, but, as at 19 May 1994, the overall ratio of prisoners to prison officers, including senior officers and principal officers, was 2·01 : 1. Figures for the number of staff scheduled to be on duty on that day, whether at their establishment or on court or escort duty, and of those on sick leave, are not held centrally and could only be obtained at disproportionate cost.

Animal Experimentation

Mr. Meale: To ask the Secretary of State for the Home Department if he will consider making a distinction between purpose-bred and non-purpose bred cats and dogs when compiling any future animal statistics used in licensed scientific procedures.

Mr. Charles Wardle: The Government have no plans to make the distinction suggested. However, changes which are being introduced to the statistical system will make it possible to distinguish, from 1995 onwards, between dogs and cats which have been bred at or obtained from a designated breeding establishment, and those which have been obtained from other sources.

Specialist Operations

Mr. Alton: To ask the Secretary of State for the Home Department if he will list the specialist operations at Scotland Yard together with their annual cost for the last year for which figures are available.

Mr. Charles Wardle: In the interests of security, it is Home Office policy not to reveal details, including costs, of individual special operation branches. The annual staffing cost of the branches to 31 March 1994 is around £158 million. This figure represents the average of salaries for the ranks and grades involved.

Obscene Publications

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department (1) what recent discussions he has had with the Commissioner of the Police of the Metropolis about the future of the obscene publications branch; and if he will make a statement;

(2) what recent representations he has received from right hon. and hon. Members concerning the future of the obscene publications branch; and how many of those representations have *(a)* opposed and *(b)* supported the disbanding of that branch;

Mr. David Alton: (1) whether it is the policy of his Department to close the obscene publications squad;

(2) what plans there are for the disbandment of the obscene publications branch at New Scotland Yard; what is the reason for such action; and what assessment he has made of the effect of such a measure on the operational capability of the police, both in London and nationally.

Mr. Charles Wardle: Metropolitan police headquarters functions and specialist units, such as the obscene publications branch, fall within scope of the Commissioner's restructuring exercise, which aims to make the best possible use of resources and to place functions where they are most appropriate. My right hon. and learned Friend has discussed this matter with the Commissioner during their regular meetings.

Overseas Domestic Workers

Mrs. Roche: To ask the Secretary of State for the Home Department what assessment he has made of the maltreatment of overseas domestic workers; and what measures he is taking in response to the recent cross-party delegation on this issue.

Mr. Charles Wardle: None; but we consider representations carefully and keep the general arrangements for the overseas domestic workers scheme under review.

Mrs. Roche: To ask the Secretary of State for the Home Department how many people were granted entry clearance at posts abroad to come in to the United Kingdom as overseas domestic workers under the 1980 concession after 31 August 1993.

Mr. Charles Wardle: The information requested is not available.

Mrs. Roche: To ask the Secretary of State for the Home Department how many representations he has received regarding overseas domestic workers in the last year for which figures are available.

Mr. Charles Wardle: In the past year, my right hon. and learned Friend and I have received 22 letters from right hon. and hon. Members and noble Lords about the exceptional arrangements for the admission of domestic workers from overseas. I met a delegation led by my hon. Friend the Member for Kensington (Mr. Fishburn) and Lord Hylton. A number of letters have been received from organisations and members of the public.

Mrs. Roche: To ask the Secretary of State for the Home Department how many overseas domestic workers have applied for a visa extension since August 1993; and how many of these applications have been granted.

Mr. Charles Wardle: The readily available data indicate that some 600 overseas domestic workers were granted further leave to remain in the second half of 1993.

Sheehy Report

Mr. Cox: To ask the Secretary of State for the Home Department if he will make a statement on his Department's present views as to further implementation of the Sheehy committee report.

Mr. Charles Wardle: My right hon. and learned Friend announced on 28 October 1993 the Government's response to the recommendations of the inquiry into police responsibilities and rewards.

Yemen (Somali Nationals)

Mr. Allen: To ask the Secretary of State for the Home Department what special arrangements the Government have instituted regarding the issue of entry clearance to family members of Somali nationals resident in the United Kingdom who are stranded in Yemen.

Mr. Lennox-Boyd: I have been asked to reply.

We have no special arrangements for the issue of entry clearances in Yemen for any single nationality. Although the visa service has been suspended following the evacuation of staff last week, inquiries can be addressed to the British embassy in Sana'a which remains open.

HOUSE OF COMMONS

Parliamentary Counsel

Mr. Morgan: To ask the Lord President of the Council if he will list for each of the past 10 years those occasions on which the Office of Parliamentary Counsel has been requested to supply amendments or new clauses to Back Benchers for use in debate on private Members Bills in which Departments have an interest.

Mr. Newton: This information is not recorded.

Mr. Morgan: To ask the Lord President of the Council if he will institute an inquiry into the use of the Office of Parliamentary Counsel by Departments to draft amendments or new clauses for use by Back Benchers in relation to debate on private Members Bills, and the effect on the timetable for preparation of amendments to Government legislation occasioned by such use of the personnel of the office.

Mr. Newton: I have no plans to do so.

EMPLOYMENT

European Social Fund

Mr. Sheerman: To ask the Secretary of State for Employment what steps he is taking to provide support for voluntary organisations funded by the European social fund who have received no payments from the fund for the financial year commenced in January.

Mr. Michael Forsyth: The responsibility for the delays in payment under the European social fund rests with the European Commission. The Commission will not release money from the fund until it has approved the United Kingdom's plan for 1994 to 1999. The plan was submitted in November 1993, and despite pressure from this Department, the Commission has only just begun negotiations with us. The Government are pressing the Commission to approve the plan as soon as possible.

The Department has parliamentary authority to make payments as an agent of the Commission only once the funds have arrived. We sympathise with the position in which the voluntary organisations find themselves as a result of the Commission's delays. We are considering urgently whether we can do anything to alleviate the problems they are facing.

Diploma Directive

Dame Jill Knight: To ask the Secretary of State for Employment when he intends to issue a consultation document on the implementation of the Council directive for a second general system to supplement the second diploma directive 89/48/EEC.

Mr. Michael Forsyth: Work on implementation has begun including consultation with other Government Departments. My right hon. Friend the Secretary of State will consult on proposed legislation in due course.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Employment what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Michael Forsyth: Six.

Personnel Data Processing

Mr. Mudie: To ask the Secretary of State for Empolyment what was the total expenditure on staff and training costs relating to the aborted personnel data processing system.

Mr. Michael Forsyth: The total expenditure on staff and training costs in respect of the Department's personnel data system was £2·70 million.

Mr. Mudie: To ask the Secretary of State for Employment, pursuant to the answer of 13 May, *Official Report*, columns *264-65*, on the moneys paid to McDonnell Douglas in respect of personnel data processing, if he will break down expenditure on other items.

Mr. Michael Forsyth: Further to the written reply of 13 May, on amounts paid to McDonnell Douglas on the personnel data processing system, the expenditure on other items is broken down as follows:

	£
Project Management	159,375
Contractors	88,757
Training	33,812
Maintenance of IT Equipment	69,770

Mr. Mudie: To ask the Secretary of State for Employment if he will list the organisations and people, other than McDonnell Douglas, to whom payments were made in respect of the aborted personnel data processing system, together with the nature of the work done.

Mr. Michael Forsyth: The following table lists the organisations and people, other than McDonnell Douglas, to whom payments were made in respect of the personnel data processing system. The table also describes the nature of the work done.

Organisation	*Nature of work*
ASK/INGRES	Technical Audit
Computer People North	Conversion Programming
Crow Associates	Management and Organisational review
DBI Associates	Project Risk Analysis and Evaluation Project Management
Duhig Berry	Advice on use of PRINCE
Ernst & Young	Business Analysis

Young Workers Directive

Sir Teddy Taylor: To ask the Secretary of State for Employment when the young workers directive is next to be considered by the Council of Ministers.

Mr. Michael Forsyth: I expect the young workers directive to be considered at the next meeting of the Labour and Social Affairs Council on 22 June.

Training and Enterprise Councils

Mr. Ian Bruce: To ask the Secretary of State for Employment if he is to issue strategic guidance to TECs this year; and if he will make a statement.

Mr. David Hunt: The Government will issue strategic guidance to all training and enterprise councils in England tomorrow.

I am pleased that this year's guidance "TECs: Towards 2000" is being issued jointly with my right hon. Friends the President of the Board of Trade and the Secretaries of State for the Environment, Education, Transport and the Home Department.

"TECs: Towards 2000" presents the Government's strategic agenda for TECs, and emphasises their key role in driving national competitiveness at local level. TECs are asked to address in their corporate plans the major challenges and opportunities for local economic development and regeneration in their areas.

Copies of "TECs: Towards 2000" are available in the Library.

Employee Involvement

Dr. Spink: To ask the Secretary of State for Employment what is the Government's policy on employee involvement in the United Kingdom.

Mr. David Hunt: We believe that, to be successful, employee involvement must be voluntary and flexible, unlike that which would be imposed by the European Commission's draft directive on European works councils. I have today published "The Competitive Edge", a new booklet which gives examples of some of the many forms of effective employee involvement practice in the United Kingdom. A copy has been placed in the Library.

Employment Benefits

Mr. Harry Greenway: To ask the Secretary of State for Employment what are the main employment benefits in *(a)* the United Kingdom and *(b)* the Pacific rim countries; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 17 May 1994]*: In the United Kingdom the main, statutory, employment benefits include redundancy payments, maternity leave and sick pay, as well as protection against unfair dismissal and harassment, or discrimination at work.

The following table, based on information available to the Employment Department, shows that, mostly, these benefits exist in the Pacific rim countries of Hong Kong, Singapore, South Korea and Taiwan. However, coverage of the work force and the value of these benefits varies considerable from country to country.

EMPLOYMENT BENEFITS IN THE UNITED KINGDOM—MAY 1994

Redundancy Payments

Statutory minimum payments depend on age and length of service and are subject to a maximum (full details appear in the July 1993 Employment Gazette page 317). Employees are covered if: they have worked for two years for a minimum of 16 hours a week; or have worked for five years between 8 and 16 hours a week.

Maternity Leave

90 per cent. of earnings for six weeks plus £47·95 a week for 12 weeks. Eligibility is on the same basis as for redundancy payments. However, the rules for maternity pay are being revised. For more detail on the current rules, and the future requirements, see "Changes in Maternity Pay, Proposals for Implementing the EC Pregnant Workers Directive" published by the Department of Social Security (DSS) August 1993.

Sick Pay

The Statutory minimum is related to the employees earnings and is payable for a maximum 28 weeks. All employees are covered except for a few groups such as those on contracts of 3 months or less. More detail is available from the DSS Guide NI270 "Employer's Manual on Statutory Sick Pay".

Protection Against Harassment Discrimination
Race and sex discrimination at work is generally prohibited. The clauses are set out in: the Equal Pay Act 1970; the Sex Discrimination Act 1975 and the Race Relations Act 1976. These rights apply to all employees irrespective of length of service or hours of work. Other rights such as protection against unfair dismissal are subject to the same qualifying period as redundancy payments above.

Employment benefits in Pacific rim countries

Singapore

Redundancy Payments
Can be claimed provided employee has been employed for at least 3 years. No amounts stipulated by law.

Maternity Leave
8 weeks paid maternity leave if the employee has been employed for 6 months or more.

Sick Pay
14 days paid sick leave per year, in addition to any time spent in hospital up to a limit of 60 days. Employee must have worked for at least 12 months to qualify.

Protection Against Harassment/Discrimination
Anyone who thinks they have been unfairly dismissed may appeal to the Minister for Labour. If the Minister finds against the company they must either reinstate or compensate the worker.

Taiwan

Redundancy Payments, Maternity Leave, Sick Pay
There is legal entitlement to these benefits but only in certain industries. Maternity leave cannot exceed 8 weeks, the value of the other benefits depends on a number of factors including length of service, age and sex. The industries covered are: Agriculture, Forestry and Fishing; Mining and Quarrying; Manufacturing; Construction; Water, Electricity and Gas Supply; Transportation, Warehousing and Communications; Mass Media; other industries designated by relevant central level authority.

Protection Against Harassment/Discrimination
There is some protection against unfair dismissal.

Hong Kong

Redundancy Payments
An employee who has worked for an employer for more than 2 year's is entitled to two-thirds of normal monthly salary for every years service.

Maternity Leave
Maximum 10 weeks leave at two-thirds normal pay, as long as the employee has been in continuous employment for at least 18 hours a week for four consecutive weeks.

Sick Pay
Two-thirds normal pay for continuous sickness days of at least four. Same qualifying criteria as Maternity Leave/Pay.

Protection Against Harassment/Discrimination
Employers may not dismiss pregnant employees who have been in continuous employment for at least 12 weeks, or employees who are on sick leave due to occupational injury or disease. Employees who are absent because they have to give evidence in criminal proceedings are similarly protected. In all these cases if the employee is dismissed compensation must be paid.

South Korea

Redundancy Payments
Employers must pay 30 days wages for each year worked. This applies only to companies with 5 or more employees, for those firms with fewer employees the Ministry of Labour sets down guidelines depending on the company's status.

Maternity Leave
A maximum of 60 days paid leave.

Sick Pay
There is no statutory sick pay, although employers must pay for 50 per cent. of medical fees—the government pays the rest.

Protection Against Harassment/Discrimination
Discrimination based on sex, nationality, religion or social position is prohibited by the Labour Standards Act.

ATTORNEY-GENERAL

Consultants

Ms Primarolo: To ask the Attorney-General what was the expenditure on management and financial consultants by the Law Officers' Departments in 1992-93.

The Attorney-General: The expenditure was as follows:

	£
Legal Secretariat to the Law Officers	Nil
Crown Prosecution Service	48,100
Serious Fraud Office	108,820
Treasury Solicitor's Department	335,000

Serious Fraud Office

Mr. Evennett: To ask the Attorney-General when he expects to lay before Parliament and publish the annual report of the Serious Fraud Office for the year 1993-94.

The Attorney-General: The annual report for the SFO for 1993-94 was laid before Parliament at 11.00 am today and then published. Copies have been placed in the Libraries of both Houses.

Portable Telephones

Mr. Vaz: To ask the Attorney-General, pursuant to his answer of 11 May, *Official Report,* column *174,* what was the cost of calls made on *(a)* car and *(b)* portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

The Attorney-General: The costs are listed in the table.

	Car telephone calls (£)	*Portable telephone calls (£)*	*Cost of equipment[1] (£)*	*Maintenance costs (£)*
Legal Secretariat to the Law Officers	975	—	2,340	190
Treasury Solicitor's Department	—	1,650	4,890	—
Crown Prosecution Service	6,980	300	26,800	690
Serious Fraud Office	—	3,410	11,150	—
Total	7,955	5,360	45,180	880

[1] Including subscriptions and rental.

EDUCATION

Teacher Training Agency

Ms Estelle Morris: To ask the Secretary of State for Education for what reasons the stipulations in his notes on the clauses of the Education Bill on the qualifications for members of the Teacher Training Agency in terms of experience and capacity in teaching, higher education, or teacher training were not reflected in the advertisement for the appointment of a chief executive to the agency.

Mr. Robin Squire: The chief executive's main duty will be to manage the executive functions of the agency. He or she will be directly accountable for the control of the agency's expenditure and will have a role quite different from that of the other members of the board. This is reflected in the advertisement for the post.

The Secretary of State will take into account in making all appointments to the agency the requirements of clause 2 of the Education Bill, which include not only those mentioned by the hon. Member, but experience in industrial, commercial or financial matters, or the practice of any profession.

Student Statistics

Mr. Trimble: To ask the Secretary of State for Education how many third level students from *(a)* the Republic of Ireland, *(b)* other European Community countries and *(c)* non-European Community countries were enrolled in universities and colleges in England and Wales in each year since 1984-85; and what has been the cost or income in each category to the education budget.

Mr. Boswell: The following are the numbers of students for England and Wales which are readily available:

	1990-91	*1991-92*	*1992-93*
Republic of Ireland	2,615	3,072	3,756
Other EC	17,360	21,664	25,243
Non-EC	49,194	51,177	53,422

I will write to the hon. Member with figures for the earlier years.

The costs of provision for students from individual EC member states are not recorded separately. For 1991-92 the total cost to the education budget attributable to students from EC states studying in England and Wales is estimated at approximately £105 million. For 1990-91 and 1989-90, the equivalent figures for expenditure attributable to students from other EC member states were in the region of £90 million and £75 million respectively. British nationals studying elsewhere in the European Community enjoy reciprocal rights. Students from non-EC countries are expected to meet the full cost of their tuition. Income from non-EC students is credited to the host institution and not to the education budget.

Balanced against these costs is the benefit to the United Kingdom economy from the money spent in this country by students from overseas.

Teachers (Early Retirement)

Mr. David Young: To ask the Secretary of State for Education how many teachers have sought early retirement in each of the last three years for which figures are available because of *(a)* redundancy and *(b)* illness; and if he will break the figures down by local authority and regionally for grant-maintained schools.

Mr. Robin Squire: I refer the hon. Member to the replies that I gave to the hon. Member for Dewsbury (Mrs. Taylor) on 12 May, *Official Report*, columns *207-08*.

TRADE AND INDUSTRY

National Environmental Technology Centre

Mr. Cousins: To ask the President of the Board of Trade what is the expenditure on consultancy of AEA Technology Ltd., the National Environmental Technology Centre and its predecessors over the last five years, distinguishing between consultancy on management, marketing and technical issues.

Mr. Heseltine: Consultancy work for AEA Technology is a management matter for the Atomic Energy Authority. With regard to Warren Spring Laboratory, I refer the hon. Gentleman to the answer I gave to the hon. Member for Darlington (Mr. Milburn) on Monday 16 May 1994, *Official Report*, columns *302-05*.

Upper Limb Disorders

Dr. Marek: To ask the President of the Board of Trade what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Heseltine: There are no cases in the Department of Trade and Industry where proceedings have been issued.

In three cases claimants are currently seeking damages from the Department through their solicitors.

Company Investigations

Mr. Austin Mitchell: To ask the President of the Board of Trade when the inspectors to inquire into the affairs of Dunlop Holdings Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports.

Mr. Neil Hamilton: The inspectors were appointed on 25 July 1980 and made a substantial interim report on 18 December 1980, a second interim report on 10 March 1981 and a final report on 12 November 1981. Their first interim report was published on 17 February 1981 and it was decided not to publish their other reports. Both inspectors were departmental officers and the cost of their investigation is not available.

Future Large Aircraft

Mr. Barry Jones: To ask the President of the Board of Trade what representations he has had concerning the future large aircraft; and if he will make a statement on this aircraft.

Mr. Sainsbury: My Department has received many representations on the future large aircraft programme. The decision on the replacement of the existing Hercules fleet is a matter for the Ministry of Defence and my Department is in close touch with the MoD on the industrial implications of the programme.

Plugs and Sockets

Mr. Congdon: To ask the President of the Board of Trade if he has yet received the consultant's report on possible CENELEC—European Committee for Electrotechnical Standardisation—proposals on plug and socket standards.

Mr. McLoughlin: The report by the British Standards Institution Research Association has now been received and is being made available thorugh HMSO. Copies have been placed in the Library of the House.

East-West Business Forum

Mr. Quentin Davies: To ask the President of the Board of Trade what was the outcome of the east-west business forum that took place in Warsaw on 5 and 6 May 1994 and preceded the west-east conference of Ministers of Economy, Industry and Trade.

Mr. Neil Hamilton: The business forum drew up a business declaration which highlighted the areas of reform that needed to be addressed by the central and east European countries and areas where G7 countries could help. This was discussed by the conference which agreed that the declaration should be given wide circulation. I have placed a copy of the declaration and of the conference conclusions in the Library of the House.

Deregulation

Mr. Fatchett: To ask the President of the Board of Trade if he will set out *(a)* the terms of reference of the deregulation panel, *(b)* its membership and *(c)* the terms of appointment of the members of the panel.

Mr. Burden: To ask the President of the Board of Trade (1) if he will make a statement on the functions of the deregulation panel before the Deregulation and Contracting Out Bill receives Royal Assent;

(2) what are the functions of the deregulation panel established by his Department;

(3) when the deregulation panel was established;

(4) who are the members of the deregulation panel; and on what dates they were invited to join the panel;

(5) when the deregulation panel first met; and how many times it has met.

Mr. Neil Hamilton: The formation of the deregulation task force, to be chaired by the right hon. Francis Maude, was announced on 19 January 1994. A number of appointments have been made and some work has been started, but other individuals are still being approved. It would therefore be inappropriate to announce some names but not all. When the task force has its full quorum, an announcement of the membership and its terms of reference will be made.

Mr. Burden: To ask the President of the Board of Trade what is the budget of the deregulation panel.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* The deregulation task force does not have a separate individual budget. The costs of administrative support are part of the deregulation unit budget, which is published in the departmental supply estimates.

Mr. Burden: To ask the President of the Board of Trade if he will make the minutes of the deregulation panel available to hon. Members.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* Minutes of the meetings of the deregulation task force will not be available. However, the task force will publish an annual report.

Mr. Burden: To ask the President of the Board of Trade what is the relationship between the deregulation panel and the deregulation unit.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* The deregulation task force will work closely with the deregulation unit, which is the focal point for the deregulation initiative across Whitehall.

Mr. Burden: To ask the President of the Board of Trade what is the relationship between the deregulation panel and the deregulation task forces.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* The deregulation task force is the successor body to the seven business deregulation task forces, whose proposals for reform were published on 19 January 1994 and the eighth charities and voluntary organisations task force, which has completed its work and is due to report shortly.

Mr. Burden: To ask the President of the Board of Trade what is the level of remuneration of each member of the deregulation panel.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* Individuals will not receive payment for their work as members of the deregulation task force.

Mr. Burden: To ask the President of the Board of Trade what is the term of office of each member of the deregulation panel.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* Members of the deregulation task force will be appointed for an initial period of two years.

Mr. Burden: To ask the President of the Board of Trade what were the criteria used to appoint *(a)* the deregulation panel as a whole and *(b)* each member of the deregulation panel.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* The purpose of the deregulation task force is to help my right hon. Friend the President of the Board of Trade to promote deregulation which will enhance the competitiveness of United Kingdom business and the effectiveness of the voluntary sector. The criterion for membership is the ability to contribute to this purpose.

Mr. Burden: To ask the President of the Board of Trade if he will list *(a)* the occupations and *(b)* the political affiliation of each member of the deregulation panel.

Mr. Neil Hamilton *[holding answer 24 May 1994]:* The formation of the deregulation task force, to be chaired by the right hon. Francis Maude, was announced on 19 January 1994. A number of appointments have been made and some work has been started, but other individuals are still being approached. It would therefore be inappropriate to announce some names but not all. When the task force has its full quorum, an announcement to the membership and its terms of reference will be made. This will include the occupations of members appointed. The Department does not hold information on the political affiliations of appointees to advisory bodies. Appointments are made on the basis of the person judged best for the job; political affiliation is not a factor.

Teaching Company Scheme

Mrs. Gillan: To ask the President of the Board of Trade if he will make a statement on the progress of the teaching company scheme.

Mr. Sainsbury: The teaching company scheme is now in its 19th year of operation; following changes made in 1986, it is now widely regarded as one of the most successful mechanisms of technology transfer and has been replicated in several other countries. TCS helps firms to access technology in United Kingdom universities by enabling them to employ young graduates to install specific technologies or processes in the firm. The graduates are jointly supervised by the firm and the university.

Graduates receive a salary, paid through the university, which comprises an element of public sector support from one or more sponsors, together with a contribution from the firm.

As at 16 May 1994, 509 TCS programmes are in progress, involving 586 graduates and 82 universities. Over 50 per cent. of TCS programmes take place in small and medium-sized enterprises; it is intended to increase this proportion to about 60 per cent.

Although conceived as a joint DTI/SERC scheme, TCS has expanded its sponsorship base to include other research councils and government departments. Eleven organisations now act as sponsors.

A recent interdepartmental review of the scheme concluded that there were areas where its internal operation could be improved. Copies of the review have been lodged in the Library of the House.

Among a wide-ranging list of recommendations, four stand out:

1. It will no longer be necessary for individual programmes of interest to DTI, EPSRC or other sponsors to receive joint sponsorship; the effect of this will be to allow each sponsor to target more clearly those types of firm or technology that it wishes to support.

2. Longer term planning within TCS will be improved, by the production of a 5-year strategic plan, amended on an annual basis and supplemented by an annual business plan.

3. The managerial focus of the scheme will be sharpened by the nomination of DTI as lead sponsor department. DTI will ensure that the scheme is delivered according to the wishes of the sponsors as a whole.

4. The scheme will be supervised by a new Teaching Company Scheme Board, to be chaired by Sir Anthony Gill. The Board will comprise the following members, providing a balanced representation of industrial and academic interests:

Name	
Professor John Goodman	Chairman: Manchester School of Management
Professor David Johns	Vice Chancellor: University of Bradford
Dr. James Kinloch	Chairman: The Kinloch Electronics Group
Professor Stan Mason	Principal and Vice-Chancellor: Glasgow Caledonian University
Professor John Midwinter	Head of Electronic and Electrical Engineering Department: University College London
Mr. Colin Mitchell	Communications and Corporate Mail Manager: ICI
Mr. William Morris	Vice-President: Short Brothers plc
Dr. A. W. Nelson	Managing Director: Epitaxial Products Ltd.

Dr. John Parnaby, managing director, Lucas Applied Technology Ltd. chairman of the LINK steering group, will join the board as an observer. DTI and the Office of Science and Technology will also be represented on the board.

The board will be responsible for the successful continuation of TCS and its development to include new initiatives such as the teaching company centres and proposals to introduce the TCS concept into colleges of further education announced in the White Paper on Competitiveness, Cm. 2563.

Coal Industry Privatisation

Mr. O'Neill: To ask the President of the Board of Trade how he proposes to ensure the funding of British Coal Enterprise after the privatisation of British Coal.

Mr. Heseltine *[holding answer 23 May 1994]:* No decisions have been taken on the longer-term future of British Coal Enterprise Ltd. In the mean time the 1994 Coal Industry Restructuring Grants Order, approved in the House on 19 May, will enable the funding of BCE to continue for a further year.

WALES

Private Members' Bills

Ms Lynne: To ask the Secretary of State for Wales on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Redwood: I am advised there have been no such requests or instructions since April 1992.

Multiple Sclerosis

Mr. Llew Smith: To ask the Secretary of State for Wales what assessment he has made of the level of provision made in Wales to assist those disabled by multiple sclerosis.

Mr. Gwilym Jones: The provision of assistance for people with a disability, including those with multiple sclerosis, is the responsibility of health authorities and local authorities.

Whilst separate analyses in relation to specific conditions are not regularly made locally, the arrangements for social care planning have identified the needs of all people with a disability. How these needs can best be met is set out in the social care plans for each county and the implications for the NHS are reflected in the local strategies for health produced by health authorities.

Gwerin y Coed

Mr. Hanson: To ask the Secretary of State for Wales if he will review the level of grant given to the Gwerin y Coed, Woodcraft Folk for Wales, by his Department for 1994-95.

Sir Wyn Roberts: No. The size of the grant reflects the limited extent of Gwerin y Coed's youth work in Wales.

Care and Repair Wales

Mr. Wigley: To ask the Secretary of State for Wales if he will set out the reasons why his Department decided to defer notification to Care and Repair Wales of the financial grant which will be made to it for the financial year 1994-95 until June 1994; and whether he will review this decision and make available as soon as possible a definite timetable on which care and repair plans can be based.

Mr. Gwilym Jones: Both Care and Repair Cymru and 16 local schemes have already been offered funding for the first quarter of 1994-95. I am now making them an offer for the remainder of 1994-95.

Land Authority for Wales

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will list the board members of the Land Authority for Wales, their full-time occupations and the companies which employ them; and if he will make a statement.

Mr. Redwood: A list of the board members of the Land Authority for Wales which details their employment is held in the Library of the House. Those board members who have full-time occupations are employed by:

R. P. V. Rees: Coopers and Lybrand
R. W. S. Knight: Cooke and Arkwright
T. J. Mahoney; Self Employed Retailer

Each of them has arrangements with their business to make the necessary time available for LAW.

Planning Inspectorate Agency

Mr. Richards: To ask the Secretary of State for Wales what performance targets he has set for the planning inspectorate agency's work in Wales for the financial year 1994-95.

Mr. Gwilym Jones: The key objectives for the agency in Wales in 1994-95 remain to preserve the impartiality and quality of the inspectorate's work while seeking further to improve efficiency. The agency's key performance targets in Wales will be:

Timeliness

(a) Eighty per cent. of planning appeals by written representations to be decided within 17 weeks;
(b) To provide an inspector for local plan inquiries when requested within 26 weeks of the end of the objection period;

Financial

(a) Unit costs of planning appeals decided by written representations not to exceed £690;
(b) Recover 90 per cent. of receipts due within 8 weeks of invoice date;

Efficiency

Generate a 3 per cent. efficiency improvement in running costs as compared with 1993-94;

Quality

(a) The number of justified complaints about the way in which Inspectors have carried out their duties, and the number of successful challenges in the High Court, to be less than one in every hundred decisions issued;
(b) The number of justified complaints about the way in which the Inspectorate handled the procedural aspects of casework to be less than one in every hundred decisions issued;

Volume

To determine 1,050 appeals, subject to intake not declining;

Information and Guidance

To determine a third customer survey by 31 December 1994.

These and other performance targets for the agency will be included in its business plan for 1994-95 which will be published shortly.

Separate timeliness and volume targets for the agency's work in England are being announced today by my hon. Friend the Parliamentary Under-Secretary of State for the Environment.

TREASURY

Upper Limb Disorders

Dr. Marek: To ask the Chancellor of the Exchequer what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Nelson: None.

Alcohol (Illegal Resale)

Mr. Colvin: To ask the Chancellor of the Exchequer what steps he is taking to publicise the telephone hotline to which members of the public may report the illegal resale of personal imports of alcoholic liquor; and if he will make a statement.

Sir John Cope: The launch of the anti-bootlegging hotline on 27 April was extensively reported in the national and trade press and on television. Customs and I will continue to publicise the hotline—0800 901 901—in the media, at trade meetings and by the use of posters, leaflets and other publicity material.

Mr. Colvin: To ask the Chancellor of the Exchequer (1) how many prosecutions have taken place since 1 January 1993 of people illegally importing and reselling alcoholic liquor in England and Wales; how many resulted in fines or imprisonment; and if he will make a statement;

(2) how many prosecutions have taken place since 1 January 1993 of people illegally importing and reselling alcoholic liquor in Northern Ireland; how many resulted in fines or imprisonment; and if he will make a statement.

Sir John Cope: In England and Wales customs and Excise have successfully prosecuted 56 people since 1 January 1993 for illegally importing and reselling alcoholic liquors in the United Kingdom. The courts awarded prison sentences against two people and fines of up to £8,000 against 43 people.

No prosecutions have yet been brought in Northern Ireland.

Sir Keith Speed: To ask the Chancellor of the Exchequer how many representations he has received to date about the importation of cheap alcoholic drinks from the continent; and what replies he has sent.

Sir John Cope: I have received a number of representations on this subject. The replies I have sent have answered the questions raised, offered clarification of the issues involved and set out the Government's position, as appropriate.

Civil Servants

Mr. Fabricant: To ask the Chancellor of the Exchequer how many civil servants are now employed; and how many civil servants were employed immediately prior to the process of market testing.

Mr. Dorrell: On 1 October 1993 there were 546,339 permanent civil servants, the lowest in the post-war period. Final figures for 1 April 1994 are not yet available, but these are expected to show a further decline to about 535,000. On 1 October 1991, immediately prior to the announcement of the introduction of market testing in November 1991, there were 560,903 permanent civil servants.

Taxation

Mr. Meacher: To ask the Chancellor of the Exchequer what was the average tax rate including local and central Government income tax and social security payments, as a percentage of the gross income of a married man with two children earning *(a)* £20,000 a year and *(b)* £40,000 a year in (i) the United Kingdom, (ii) France, (iii) Germany, (iv) the United States of America and (v) Japan in 1993; and what he estimates will be the percentage figures for the same persons in the United Kingdom in the fiscal year 1995-96 based on Government tax policies already announced.

Mr. Dorrell *[holding answer 29 March 1994]:* The table gives the information requested.

International comparisons of this nature can be misleading because the rules of the tax and social security systems, and the level of provision of public services, vary widely. For example, in Germany, people with the levels of income shown would be above the threshold where they cease to be liable to make contributions for sickness and they would have to make private provision. The comparison also takes no account of indirect taxes. The table includes employers' social security contributions. This gives a more complete picture, as both the employer's and employee's contributions are likely to affect take-home pay.

Figures for the United Kingdom for 1995-96 will depend on changes in earnings and prices and the value of allowances.

	*Proportion of income paid in income tax and social security contributions**		*Marginal rates of income tax and social security contributions**	
	£20,000 gross earnings	*£40,000 gross earnings*	*£20,000 gross earnings*	*£40,000 gross earnings*
France[1,2]				
Income tax and social security contributions	46·6	49·9	51·4	69·1
United Kingdom[2,3]				
Income tax and social security contributions	31·6	38·1	44·4	50·4
Japan[4]				
Income tax and social security contributions	29·5	45·1	41·7	63·8
Germany[1,2,5]				
Income tax and social security contributions	29·1	34·0	48·1	33·3
United States of America[1,6]				
Income tax and social security contributions	23·7	31·0	34·30	38·90

*Includes both employees' and employers' contributions.

[1] Figures for 1993. Earnings converted into local currencies using purchasing power parities.

[2] No local income taxes.

[3] Income tax plus national insurance contributions less child benefit expressed as a percentage of earnings. The married man is assumed to be in receipt of the full married couple's allowance.

[4] Local taxes at the standard rate.

[5] Excluding those social security contributions for employees with earnings above the insurable ceilings.

[6] California local income tax rates.

AGRICULTURE, FISHERIES AND FOOD

Abattoirs

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if she will make it her policy, after the formation of the meat hygiene service, to make representations for British meat inspectors to have equivalent status to French and Dutch veterinary technicians for the purposes of relevant European legislation on abattoirs.

Mr. Soames: The meat hygiene service is committed to delivering a cost-effective and consistent meat inspection service and, to do so, will seek to maximise the role of qualified meat inspectors in slaughterhouses within the requirements of the legislation.

The EC has harmonised rules on the training of veterinarians and mutual recognition of veterinary qualifications, but has never harmonised the training and qualifications of technicians—termed "auxiliaries" in the directives. If the chief executive of the meat hygiene service, in the light of operating experience, considers such EC harmonisation would facilitate the achievement of the MHS objectives we will explore the possibilities with the Commission and other member states.

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food what steps she is taking to encourage and promote the establishment of more small abattoirs.

Mr. Soames: The Government have always recognised the importance of small abattoirs and have taken a number of steps to ensure that the single market rules are applied sensibly and flexibly. We negotiated in the EC fresh meat directive less onerous structural requirements for low-throughput abattoirs and were instrumental in increasing the original throughput limit of 12 livestock units per week to 20 until 31 December 1994. We will press for this limit to be made permanent in the Commission's review of the impact of the Directive on small businesses. In mid-1993, we introduced an upper limit on local authority charges for meat inspection, which provides assurances to small abattoirs about the maximum level of charges they may face. Together, these measures will create a stable situation within which new small abattoirs can be established if there is a market opportunity for them.

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food what assessment she has made of the difference in average attendance fees being paid by small abattoirs to *(a)* veterinary surgeons and *(b)* environmental health officers.

Mr. Soames: Official veterinary surgeons and meat inspectors or environmental health officers are employed for meat inspection duties by local authorities which recover the costs from abattoirs, subject to a maximum of £40 for the first four livestock units and £6·30 for each additional livestock unit. The maximum charge of £40 was based on £28 for veterinary attendance, being the average turnout fee paid to local veterinary inspectors in 1991, and £12 for the meat inspector's duties.

Fish Landings

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what is her estimate for the last 12 months of the landing of unlogged fish around the coast of the United Kingdom; what percentage of total landings this represents; and if she will make a statement.

Mr. Jack: The landing of unlogged fish is an illegal activity and it is not possible to make a meaningful estimate of the extent to which it occurs. Illegal landings jeopardise the livelihoods of fishermen and those dependent on the industry and undermine the efforts that are being made to conserve stocks. The United Kingdom fisheries inspectorate devotes substantial resources to detecting and preventing unlogged landings of fish and appropriate enforcement action is taken where there is firm evidence of illegal landings occurring.

Sheep Dips

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if she will amend the regulations governing certificates for the purchase of organophosphorus dips by restricting the use as well as purchase of such dips to certificate holders.

Mr. Soames: I have no plans to do so. The existing controls are effective as they stand, and prevent those purchasing organophosphorus dips from selling or supplying them on to others. The Control of Substances Hazardous to Health Regulations also already require those working with dips to be adequately trained. Possession of a certificate will be taken into account by HSE inspectors when assessing how this requirement has been met.

Spanish Fishing Vessels

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if it is her policy to rely upon relative stability, according to its recognised definition, to keep Spanish registered fishing vessels, or fishing vessels owned by Spanish citizens out of all parts of the North sea.

Mr. Jack: I refer my hon. Friend to the reply I gave on 13 April to my hon. Friend the Member for Hertsmere (Mr. Clappison), *Official Report*, column *183-84*.

Nuts (Allergies)

Mr. Pickthall: To ask the Minister of Agriculture, Fisheries and Food what measures she is taking to encourage the clearer labelling of food stuffs in order to eliminate risks to people who are allergic to nuts.

Mr. Soames: Labelling is only really effective with pre-packaged foodstuffs and we have encouraged manufacturers and retailers to indicate the presence of nuts or peanuts in a foodstuff on a voluntary basis where the EC labelling rules do not provide for it. In the much larger area of food purchased through catering outlets where the problems for people who suffer from this allergy occur, we have alerted operators to the serious nature of the allergy and to the need to have available reliable information on recipes so as to answer accurately questions from sufferers. I am pleased to say that on all fronts we have had a positive response.

NATIONAL HERITAGE

Local Authority Museums

Mr. Robert Ainsworth: To ask the Secretary of State for National Heritage what plans he has to increase assistance to museums run by local authorities containing collections of national significance.

Mr. Sproat: There are many museum collections of national significance, a large number run by local authorities. In his announcement on 11 May, *Official Report,* column *172,* my right hon. Friend advised the House that he was about to undertake a review of the Department's policy towards museums and galleries. That is now under way: we welcome comments from anyone who wishes to offer them, but it would not be right for me to anticipate the outcome of the review.

Mr. Robert Ainsworth: To ask the Secretary of State for National Heritage what information he has concerning local authority museums selling all or part of their collections due to financial constraints in the years 1991-92, 1992-93 and 1993-94; and if he will make a statement.

Mr. Sproat: There are a number of reasons why museums, including those run by local authorities, might dispose of items in their collections. However, systematic data on such disposals, and the reasons for them, are not collected by my Department.

Mr. Robert Ainsworth: To ask the Secretary of State for National Heritage which museum collections owned by local authorities attract central Government grant assistance; and if he will make a statement.

Mr. Sproat: Local authorities and their museums attract grant assistance from Government Departments in a wide variety of ways and for differing purposes. It is not possible to provide comprehensive details of such assistance across the museum field. While my own Department does not offer specific assistance to local authority museums, it does provide funding to bodies such as the National Heritage Memorial Fund and the Museums and Galleries Comission, which provides grants and other support to a wide range of museums and galleries; similarly, my Department participates in the museums and galleries improvement fund, a joint initiative with the Wolfson Foundation and Family Charitable Trust.

British Road Transport Museums

Mr. Robert Ainsworth: To ask the Secretary of State for National Heritage what direct assistance his Department give towards the costs of the British road transport museum in Coventry.

Mr. Sproat: I understand that the museum of British road transport in Coventry has been helped in a number of ways by the west midlands area museum service, which receives funding from the Museums and Galleries Commission. It has also received assistance towards acquisitions from the National Heritage Memorial Fund and from the PRISM fund for preservation of industrial and scientific material which is administered by the National museum of science and industry on behalf of the Museums and Galleries Commission.

Mr. Robert Ainsworth: To ask the Secretary of State for National Heritage if he will list the most significant collections in the United Kingdom road transport heritage; and if he will make a statement.

Mr. Sproat: There are a number of museums in the United Kingdom with significant road transport material in their collections. They are important in different ways and it is not possible to specify which is the most significant.

Indemnity Undertakings

Mr. Nicholas Winterton: To ask the Secretary of State for National Heritage how many indemnity undertakings were given by Departments under section 16 of the National Heritage Act 1980 for the six-month period ended 31 March 1994; and what was the value of contingent liabilities in respect of such undertakings given at any time and remaining outstanding as at 31 March 1994.

Mr. Brooke: In the six-month period ended 31 March 1994 the following undertakings to indemnify were given by the relevant Departments for items on loan to national and non-national institutions:

	Number
Department of National Heritage	437
Scottish Office Education Department	43
Welsh Office Education Department	32
Department of Education for Northern Ireland	14

The value of contingent liabilities in respect of such undertakings given at any time and outstanding at 31 March 1994 are:

	£
Department of National Heritage	1,844,520,914
Scottish Office Education Department	106,369,193
Welsh Office Education Department	41,061,343
Department of Education for Northern Ireland	9,268,944

Royal Palaces

Mr. Alan Williams: To ask the Secretary of State for National Heritage what accommodation is available at Buckingham palace for the use of the Duke of York.

Mr. Sproat: His Royal Highness the Duke of York has use of two bedrooms, a dressing room, a sitting room, a dining room and two bathrooms at Buckingham palace. These rooms do not form a self-contained apartment.

Mr. Alan Williams: To ask the Secretary of State for National Heritage what are the reasons for making grace-and-favour accommodation available at the historic royal palaces; and who occupies it.

Mr. Sproat: About half the units of grace-and-favour accommodation at the historic royal palaces have been made available to pensioners who were former employees of Her Majesty the Queen, and the remainder to employees or holders of positions in the royal household whose duties require their attendance at Hampton Court or the Tower of London.

Mr. Alan Williams: To ask the Secretary of State for National Heritage on what basis rent is assessed for Prince Michael of Kent.

Mr. Sproat: The rent is assessed on a basis which takes into account the fact that His Royal Highness the Prince Michael of Kent is a more immediate member of the Royal Family who undertakes some official engagements on behalf of Her Majesty the Queen.

Ms Mowlam: To ask the Secretary of State for National Heritage what amount was taken in revenue from entry charges and merchandising by the Historic Royal Palaces Agency in the last financial year; and what is the target for next year.

Mr. Sproat: The provisional outturn figures for income from entry charges and shops in 1993-94 are £14·035 million and £4·934 million respectively, totalling £18·969 million.

For 1994-95, the corresponding targets set for the agency by the chief executive are £17·678 million and £5·463 million, totalling £23·141 million.

Museums

Mr. Gapes: To ask the Secretary of State for National Heritage (1) what was the staffing level for the science museum library at the south Kensington site in May 1992; what it is now; and what is the projected site level for May 1995;

(2) what is the present salary of the director of the science museum;

(3) for what reasons Mr. Andrew Dow was removed from his appointment as curator of the national railway museum; whether the approval of a full meeting of the trustees was obtained before the removal of Mr. Dow; and what payment was made to Mr. Dow following his removal.

Mr. Sproat: These matters fall within the statutory responsibility of the trustees of the National museum of science and industry as set out by the National Heritage Act 1983.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for National Heritage what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Sproat: No civil servants within the Department of National Heritage are taking legal action against the Department as a result of work-related upper limb disorders.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs how many missions have been conducted by the United Nations Special Commission on Iraq to inspect military and nuclear sites; and if he will arrange for copies of all reports of UNSCOM visits to be placed in the Library.

Mr. Douglas Hogg: There have been 74 UNSCOM/IAEA missions to Iraq. The 75th is at present in Iraq. UNSCOM inspection reports are not published but a description of missions is given in the six-monthly reports issued by the Secretary-General of the UN. The latest of these are Security Council documents S/1994/489 and S/1994/490 for UNSCOM and the IAEA respectively. In addition the IAEA submits more detailed inspection reports to the UN Secretary-General which are circulated as UN documents. The latest of these are S/1994/31, on the 22nd IAEA mission, and S/1994/355, on the 23rd mission. All these documents are available in the Library of the House.

Korea

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, during his recent meeting with his South Korean counterpart, he discussed the use by North Korea of blueprints of the British Magnox reactor design to construct its plutonium production reactors currently under inspection by the International Atomic Energy Agency.

Mr. Douglas Hogg: We do not know whether North Korea has drawn on plans of British reactors in the production of its own reactors. North Korea possesses a graphite moderated reactor which, while much smaller, has generic similarities to the reactors operated by British Nuclear Fuels plc. However, design information of these British reactors is not classified and has appeared in technical journals.

My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs did not discuss this matter with the Foreign Minister of the Republic of Korea during their recent meeting.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the International Atomic Energy Agency nuclear safeguards inspection visit to the North Korean nuclear facilities on 18 May.

Mr. Douglas Hogg: The full outcome of the latest visit of an International Atomic Energy Agency inspection team to North Korea will not be known until after their return to Vienna. However, the IAEA Director-General, Dr. Blix, reported to the United Nations Security Council on 20 May that the inspectors had been allowed to perform outstanding safeguards activities at the radiochemical laboratory. He also confirmed that North Korea had begun discharging fuel from the core of its 5MW reactor, in violation of its safeguards agreement.

EU Foreign Affairs Council

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the EU Foreign Affairs Council on 16 and 17 May.

Mr. Hurd: I attended the Foreign Affairs Council on 16-17 May.

The Council took the formal decision—by unanimity—to admit Norway, Austria, Finland and Sweden to the Union. The treaty of accession will now be signed at the European Council on 24 June.

President Delors presented a short paper describing progress on the follow-up to the White Paper on Growth, Competitiveness and Employment. He noted that recent economic news in the Community was encouraging; drew attention to efforts to improve the functioning of the internal market; highlighted progress on identifying priority transEuropean network projects; and noted that work was continuing on the audit of selected pieces of legislation for their effects on employment.

In the discussion that followed, I and others emphasised the importance of deregulation and of completing the single market, especially in areas such as transport, energy and telecommunications.

The Council reviewed progress in the negotiations towards a partnership and co-operation agreement with Russia.

The Council agreed that the EU's partnership and co-operation agreement with Ukraine would be signed in June, and had a first discussion of Commission proposals on further ways to enhance the EU/Ukraine relationship.

The Council agreed unanimously a Commission proposal to resolve a dispute between the EC and Chile over Chilean apple exports to the EC.

The Council considered a Commission report on relations with Switzerland. It asked the Commission to bring forward as soon as possible mandates for negotiations on research, free movement of people, trade in agricultural goods, public procurement and technical barriers to trade. On transport, the Council asked the Commission to seek urgent clarification from the Swiss on how the Swiss people's recent vote to ban the transit of heavy goods vehicles would be implemented.

The Council discussed recent developments in the peace negotiations on former Yugoslavia. It agreed unanimously to extend the joint action on humanitarian aid to Bosnia and to apply part of the resources for this to the EU administration in Mostar. The Council had a short discussion of the situation in Algeria and the possibilities for Community assistance. It issued the statement on Rwanda which appears at the end of this answer. The Commission also indicated that it would shortly propose an interim agreement between the EU and South Africa.

The Council adopted by concensus a code of conduct for continuing multilateral negotiations on trade in certain service sectors, where agreement could not be reached by the conclusion of the Uruguay round. This will enable the Community to participate effectively in the continuing GATT negotiations on services.

The Council agreed the draft conclusions for the launch conference of the stability pact in Paris on 26-27 May and discussed prospects for the conference.

The Council discussed a compromise text aimed at unblocking the negotiations on an energy charter treaty.

At the request of the Danish Government, the Council discussed the operation of its openness policy. It asked officials to consider whether existing procedures for handling applications for documents needed amending, and to make recommendations to the Council. The Council agreed to reject the application by the Guardian newspaper for a number of Council documents. Denmark and the Netherlands voted against.

The Secretary General of the Council urged member states to take a flexible approach on the protection of classified information under titles V and VI of the Maastricht treaty. The Council referred the matter to COREPER.

The Council agreed that informal contacts with the European Parliament on titles V and VI should continue, but that decisions would have to await the election of the new Parliament.

A co-operation council with Egypt and the first meeting of the European Economic Area Agreement Council took place in the margins.

DECLARATION BY THE EUROPEAN UNION ON RWANDA

The European Union, recalling its declaration of 18 April 1994 on Rwanda, again appeals urgently to all parties to the conflict to bring an end to the genocide now taking place in the country.

The European Union expresses its full support for the United Nations' humanitarian efforts and in this context welcomes the resolution that is currently before the Security Council. The European Union looks forward to an urgent decision on measures which can be implemented soon.

The European Union welcomes the initiative of the United Nations High Commissioner on Human Rights to conduct a mission on both Rwanda and Burundi and supports the call for a special meeting of the UN Commission on Human Rights.

The European Union expresses its appreciation and support for the efforts of the OAU and to President Mwinyi of Tanzania for their initiatives in convening a regional conference, in which both the authorities of Rwanda and the RPF will be invited.

The European Union urges the two sides to agree on the need to respect the Arusha agreement, which, through the way of negotiation, offers the best available basis for national reconciliation. In this context the European Union supports the call for an early imposition of an arms embargo on Rwanda, and calls on all concerned to refrain from any action that is liable to exacerbate the situation.

The European Union is eager to increase its humanitarian aid whenever and where such aid can be brought to the populations that have suffered so cruelly from the violence. In this respect it will continue its immediate assistance to refugees in the neighbouring countries and will endeavour to equally assist the stricken populations within Rwanda, whenever conditions allow this.

Kanwar Singh Dhami

Mr. Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the arrest of Kanwar Singh Dhami, president of the Akal Federation, in Chandigarh, Punjab; and if he will make a statement.

Mr. Lennox-Boyd: We understand that Mr. Dhami's case is before the courts and that his lawyers have regular access to him. Her Majesty's high commission in New Delhi have spoken to his lawyers in Punjab. They confirmed that he is in good health and has not been maltreated.

Punjab

Mr. Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence he has of individuals being tortured whilst under unlawful detention in Punjab; and if he will make a statement.

Mr. Lennox-Boyd: We receive regular information from Her Majesty's high commission in New Delhi about allegations of torture and unlawful detention in Punjab. Although the situation has improved in the last year, we remain concerned that abuses continue to take place.

South Africa

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to hold discussions with the British groups of the Commonwealth Parliamentary Association and the Inter-Parliamentary Union in order to develop programmes and to invite members of the new South African Parliament to visit

London and take part in such programmes of political development within their country; and if he will make a statement.

Mr. Lennox-Boyd: We attach importance to establishing close operational links with members of the new South African Parliament and will take every opportunity to do so.

To this end my noble Friend Baroness Chalker of Wallasey will shortly hold a meeting with several hon. Members and noble Lords who have a close interest in South Africa, including many who were election observers under the auspices of the IPU and CPA, to discuss how to take forward this initiative.

Mr. Edward Roberts

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what record the Minister for Overseas Development has of receiving a recorded delivery letter from Mr. Edward Roberts of 28 Dulverton road, Liverpool 17, concerning his experiences as a prisoner-of-war at Drancy.

Mr. Lennox Boyd: My hon. Friend the Minister of State for Foreign and Commonwealth Affairs, the Member for Wells (Mr. Heathcoat-Amory), wrote to the hon. Member on this matter on 20 May.

Nigeria

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he made of the likely use to which the 21 battle tanks sold to Nigeria in 1993 will be put prior to agreeing to the sale.

Mr. Lennox-Boyd: We considered this export licence application carefully, in the light of our usual criteria, including the international guidelines to which we are committed. We were satisfied that the equipment in question would be used to fulfil Nigeria's legitimate defence needs.

Malawi

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the recent elections in Malawi.

Mr. Lennox-Boyd: The Government welcome the peaceful transition to multi-party democracy in Malawi brought about by these elections, which both the joint international observer group and the Malawi electoral commission declared free and fair.

We commend the ready acceptance of the results by all sides in Malawi and in particular former-President Banda's call for all political parties to co-operate in building a better Malawi.

We look forward to working closely with the new Government and with President Muluzi. The Permanent Secretary at the ODA is visiting Malawi from 31 May to 2 June. The new Government face many challenges including a serious crop failure. We plan to offer an additional £3 million in balance of payments support for 1994-95, and 10,000 tonnes of food aid to help them overcome it and keep to their economic reform programme.

SOCIAL SECURITY

Child Support Agency

Mr. Ingram: To ask the Secretary of State for Social Security, pursuant to his answer of 31 March, *Official Report*, column *1025*, if he will give the percentage of cases cleared by individual Child Support Agency centres during each quarter of 1993-94 in *(a)* under 40 days, *(b)* between 40 and 100 days and *(c)* over 100 days; and when he expects to be able to provide detailed information as to the average time taken for each stage of the assessment process.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member shortly.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 25 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security asking about clearance times for the maintenance application process.

Figures for the first two quarters covering the period 5 April to 30 September 1993 are not available. Figures for the third and fourth quarters are shown in the attached annex.

Information on the time taken to deal with maintenance application and enquiry forms is currently being validated and should be available shortly.

In my earlier reply of 31 March 1994, I said that the figures quoted were year to date figures from 5 April 1993. I have since established that they were year to date figures from 1 October 1993 as figures prior to that date are not available. Please accept my apologies for this mistake.

The answer also corrects information given to the honourable member for Glasgow Garscadden (Mr. Dewar) on 18 February 1994 at Col 1023, and the honourable member for Dunfermline West (Ms Squire) on 8 March 1994 at Cols 215-216.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what figures are available to show waiting times between the parent with care contacting the Child Support Agency and an initial maintenance inquiry form being dispatched.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. David Hinchliffe, dated 25 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the time taken between a parent with care contacting the Agency and a maintenance enquiry form being issued to the absent parent.

Contact between a parent with care and the Agency normally begins when the Agency issues a maintenance application form to the parent with care. In a small proportion of cases, however, the parent with care may contact the Agency to request such a form.

Information on the time taken to deal with maintenance application forms, measured from the date on which the form is issued to the date on which processing of the form is completed, is currently being validated and should be available shortly.

I am sorry that I cannot be more helpful.

Mr. Hinchliffe: To ask the Secretary of State for Social Security if the Child Support Agency contacts the parent with care in all cases where a delay occurs in obtaining information from the absent parent, and if he will make a statement.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. David Hinchliffe, dated 25 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about contact with parents with care when there is a delay in obtaining information from the absent parent.

If an absent parent fails to return the Maintenance Enquiry Form (MEF) the Agnecy will issue a letter warning that an Interim Maintenance Assessment (IMA), which is generally higher than a full maintenance assessment, will be considered if information requested is not received within 14 days of receipt. At the same time the parent with care is notified that this warning letter has been issued.

If an absent parent does return the MEF but fails to provide all of the information required, then the Agency will still consider imposing an IMA. In such cases a warning letter will be sent to the absent parent and the parent with care will be notified at the same time.

If no response is received at this stage and an IMA is to be imposed, both the absent parent and the parent with care will receive a letter setting out the amount of the IMA and the date from which it will be imposed.

I hope this reply is helpful.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what steps he will take to reduce the number of weeks which the Child Support Agency requires to process maintenance assessments; and if he will make a statement.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. David Hinchliffe, dated 25 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the time taken by the Agency to process maintenance assessments.

The Agency originally expected to take 6 to 12 weeks to clear a straightforward case once fully operational. The aim of clearing such cases within that time scale was first expressed before the Agency had experience of live operation. In practice, the assessment process has turned out to be more complex and clearance times longer than was originally expected.

The maintenance formula which is used in making the assessment is detailed as it has to take account of the individual circumstances of both parents. A great deal of information is required to ensure the assessment is realistic, and accurately reflects their circumstances. It is inevitable therefore that the entire process will take time.

At this stage it is still too early to predict what clearance times will be achieved in the longer term, although the Agency is working hard to ensure that all applications for maintenance are cleared as quickly as possible.

I can reassure you that the Agency is constantly reviewing all aspects of its operations to ensure that the most effective means of handling cases are identified and changes made where the process can be improved.

I hope you find this helpful.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what time limit has been established for an interim award of maintenance to the parent with care from the Child Support Agency.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. David Hinchliffe, dated 25 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the time limit for an interim award of maintenance to a parent with care.

When Maintenance Enquiry Forms (MEFs) are issued, absent parents are advised that they must be completed and returned within 14 days of issue. If, after 14 days the absent parent fails to return the MEF, a letter is issued to advise him or her than an Interim Maintenance Assessment (IMA) will be considered if the information required is not received within 14 days.

If a MEF has still not been return 28 days after it has been issued, the child support officer will consider whether an IMA is appropriate. Once the child support officer decides an IMA is appropriate, it will be imposed within 9 days. If an IMA is considered not to be appropriate at this stage, the case may be referred for an interview locally with the absent parent to resolve the matter. All cases will be followed up subsequently and a decision made in the light of all the circumstances.

In all cases, our aim is to make a decision as soon as the information is available.

I hope this reply is helpful.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what evidence is available to identify any transfer of care from one parent to the other resulting from assessment by the Child Support Agency; and what studies have been undertaken on this.

Mr. Burt: Matters relating to the care and residence of a child are principally matters for the court. The Department has not undertaken any studies on this issue.

Mr. Worthington: To ask the Secretary of State for Social Security what plans he has to link the pay of the chief executive of the Child Support Agency to the time taken to send replies to letters and to the extent to which those replies answer the questions asked; and if he will give reasons for his decision.

Mr. Burt: The Child Support Agency chief executive's entitlement to a performance bonus is largely determined by the achievement of the published key performance targets for the agency taken as a package. Details of the key targets for 1994-95 have not yet been decided. They will be published in the agency's business plan, a copy of which will be available in the Library.

Cold Weather Payments

Ms Janet Anderson: To ask the Secretary of State for Social Security if he will publish details of those boundaries between areas linked to different weather stations for the purposes of the cold weather payments scheme which follow the line of a road in a built-up area; and if he will make a statement.

Mr. Scott: The information is not readily available and could be obtained only at a disproportionate cost.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Social Security what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Scott: There are currently 49 cases of serving or ex-officers of the Department who are pursuing legal action against the Department for alleged injury arising out of work-related upper limb disorders.

Pensioners Benefits

Mr. Denham: To ask the Secretary of State for Social Security what estimate he has made of the total sum of benefits deducted from pensioners as a result of periods in hospitals as in-patients in each year since 1979.

Mr. Hague: The information is not available.

Maxwell Pension Fund

Dr. Spink: To ask the Secretary of State for Social Security when the Government will respond to the second report of the Social Security Committee on the work of the Maxwell Pension Fund trustees; and if he will make a statement.

Mr. Hague: The Government's response to the Select Committee's report is published today. We welcome the Committee's continued interest in the process for recovering assets missing from the Maxwell pension funds.

The Government strongly support the initiative taken by the Maxwell Pensioners Trust to promote an overall settlement to disputes relating to missing pension fund assets. We share the Committee's view that the initiative offers the best chance for resolution of the schemes' problems with minimum cost and delay.

The Government are currently considering the detailed recommendations of the Pension Law Review Committee, and will take the Select Committee's views into account when finalising its response.

Invalidity Benefits

Mr. Llew Smith: To ask the Secretary of State for Social Security (1) how the evaluation will be made as to whether a claimant is in the latter stages of multiple sclerosis in respect of eligibility for the incapacity benefit to be introduced in 1995;

(2) what role will be played by Benefits Agency adjudication officers in evaluating the claims made by sufferers of multiple sclerosis for invalidity benefit under the provisions he announced on 30 November;

(3) what representations she has received from the Multiple Sclerosis Society in regard to the effects on the eligibility of claimants for incapacity benefit of the legislation that comes into force in 1995.

Mr. Scott: I have been asked to reply.

All claims to incapacity benefit will be decided by Benefits Agency adjudication officers. The adjudication officer will have before him evidence provided by the claimant in the form of a questionnaire, a GP's diagnosis and statement of main disabling conditions, and a report from a departmental doctor providing advice on the level of functional limitation and any other evidence that the claimant and/or representative has provided.

We have developed a list of conditions which will exempt certain groups of claimants from the new test of incapacity. The list includes those claimants suffering with severe and progressive neurological or muscle-wasting diseases such as the latter stages of multiple sclerosis. In such claims no further inquiries will be made and the adjudication officer will determine that the person is incapable of work.

As part of the consultative process on the proposals for the new medical test, we have received representations from the Multiple Sclerosis Society of Great Britain and Northern Ireland. We will take account of their comments in the further development of the test.

NORTHERN IRELAND

Health and Social Services

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what representations he has received concerning the establishment of an independent staff commission to review and monitor personnel procedures of the health and social services trusts in Northern Ireland; and if he will make a statement.

Mr. Ancram: Health and social services trusts are bound by the same employment legislation as other Northern Ireland employers. My noble Friend Baroness Denton has not received any representations concerning the establishment of a commission to monitor and review the personnel procedures of such trusts.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will make a statement on liaison between the new health and social services trusts in Northern Ireland and *(a)* universities in Northern Ireland and *(b)* the Central Council for Education and Training in Social Work, on the training of personnel; and if he will make a statement.

Mr. Ancram: My noble Friend Baroness Denton is quite content that the existing liaison arrangements will continue to operate satisfactorily. Health and social services trusts are empowered to make facilities and staff available in connection with training by a university or any other body providing training in connection with the health and personal social services.

Trusts which provide a significant level of personal social services must appoint one executive director who holds a recognised qualification in social work.

Additionally, where a trust has a significant medical teaching commitment, the Department of Health and Social Services must appoint a non-executive director from the university with a medical or dental school specified in its establishment order.

Mobile Telephones

Mr. Vaz: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 10 May, *Official Report,* column *126*, what was the cost of calls made on portable telephones in 1993-94.

Sir John Wheeler: The cost of calls made on portable telephones for the 1993-94 financial year was £70,000.

Cairnshill Primary School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when application was made for planning permission for temporary accommodation at Cairnshill primary school; what was the closing date for objections to this application; how many objections there were; whether this scheme for temporary accommodation has been approved by the Department of Education; what proposals there are to replace this temporary accommodation with permanent buildings; what is the estimated cost of this temporary accommodation; and if he will make a statement.

Mr. Ancram: The Department of the Environment received the application for planning permission on 21 April 1994; the closing date for representations was 13 May 1994 and six objections were received. The approval of the Department of Education is not required as this is a matter for the South-East education and library board; there are no plans at present to replace the proposed accommodation with permanent buildings; the estimated cost of the work is £160,000.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what was the enrolment for each of the past five years at Cairnshill primary school; and what is the projected enrolment for each of the next five years.

Mr. Ancram: The enrolments are as follows:

Year	*Number*
1989-90	353
1990-91	351
1991-92	383
1992-93	414
1993-94	430
1994-95	[1]454

[1] Estimated.

Projections of future enrolments are not available, but it is understood that the South-Eastern education and library board is currently carrying out a review of primary and secondary school provision in the area.

Meat Industry

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what assessment he has made of the effect of the European Commission's de-seasonalisation scheme on the Northern Ireland beef industry; what effect this scheme will have on employment at dead meat plants; what proposals he intends to make to the European Commission; and if he will make a statement on the de-seasonalisation scheme.

Mr. Ancram: The objective of the scheme was to reduce the concentration of cattle slaughterings in the autumn. The premium was paid in Northern Ireland in 1993 and 1994 resulting in a significant switch of slaughterings from the autumn to late winter/early spring. Northern Ireland will not be a qualifying region for the premium in 1995. If, as a result, slaughterings return to the traditional pattern in autumn 1994, employment at meat plants is likely to alter accordingly with a return to greater use of seasonal staff to handle the increased throughput in the autumn. The European Commission is scheduled to review the operation of the scheme next year. It would not be appropriate to make any proposals to the Commission at this stage.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the estimated number of cattle killed at meat plants in each of the past two years; how many cattle from Northern Ireland went to the Republic last year to be killed; what assessment he has made of the reasons for a movement of beef cattle, stores and calves from Northern Ireland to the Republic; what assessment he has made of the implications of such movement for the viability of Northern Ireland dead meat plants and employment; and if he will make a statement on his proposals to bring this movement of animals to an end.

Mr. Ancram: Cattle slaughterings in Northern Ireland totalled 498,565 in 1992 and 432,660 in 1993.

Because of BSE restrictions, the movement of cattle out of the United Kingdom is prohibited unless they are under six months of age or originated outside the United Kingdom. About 3,000 cattle are recorded as having been moved from Northern Ireland to the Republic of Ireland for slaughter last year as well as around 20,000 calves for onward shipment to other member states. There is no record of the movement of store cattle to the Republic of Ireland.

I am not aware that the movement of stock to the Republic of Ireland has had any serious effects on employment or the viability of meat plants in Northern Ireland and am not proposing any action to stop such cattle movements.

Carryduff, Castlereagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland whether the police have investigated cases of *(a)* joy riding, *(b)* vandalism, *(c)* attacks on persons and *(d)* illegal drugs in Carryduff during the past six months; whether any persons were prosecuted for matters relating to these problems in Carryduff; whether the police had such matters directed to their attention; and if he will make a statement.

Sir John Wheeler: These are operational matters which are the responsibility of the Chief Constable. However, I have been advised that there have been investigations into incidents involving stolen vehicles, vandalism and assault in the Carryduff area during the last six months. No persons have yet been charged and investigations are on-going.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many homes at Carryduff, Castlereagh, were let or re-let by the Housing Executive during the most recent 12 months for which figures are available; and how many of these homes were allocated to families from west Belfast.

Mr. Tim Smith: This is a matter for the Northern Ireland Housing Executive; however, I am advised by its chief executive that from 1 May 1993 to 30 April 1994, there were 24 lettings/re-lettings of Housing Executive dwellings in the Carryduff area of Castlereagh. One of these was allocated to a family originally from West Belfast, but living in Lisburn in the five months immediately prior to the allocation.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland to what extent there has been an increase in incidents requiring police attention at Church road, Carryduff in the borough of Castlereagh; what proposals he has to increase police presence at Church road; and if he will make a statement.

Sir John Wheeler: I am advised that there has been a limited increase in minor incidents in Church road, Carryduff.

The deployment of police is an operational matter for the Chief Constable of the Royal Ulster Constabulary. However, the Chief Constable has advised me that additional constables have been appointed to the local neighbourhood unit at Carryduff.

Mr. John D. Taylor: To ask the Secretary of state for Northern Ireland to what extent there has been an increase in incidents requiring police attention at the Killynure Housing Executive estate in Carryduff in the borough of Castlereagh; what proposals he has to increase policing at this estate; and if he will make a statement.

Sir John Wheeler: I am advised that there has been a limited increase in minor incidents at the Killynure housing estate, Carryduff.

The deployment of police is an operational matter for the Chief Constable of the Royal Ulster Constabulary who has advised me that additional constables have been appointed to the local neighbourhood unit at Carryduff.

Non-departmental Bodies

Mr. Redmond: To ask the Secretary of State for Northern Ireland if he will list the non-departmental bodies in the Province the conduct of which can be referred to the Parliamentary Commissioner for Administration.

Sir John Wheeler: The offices of the Northern Ireland Parliamentary Commissioner for Administration and the Northern Ireland Commissioner for Complaints, commonly referred to as "the Ombudsman", are held by the same person. The function of the Northern Ireland Parliamentary Commissioner for Administration is to investigate complaints of alleged injustice as a consequence of maladministration by Northern Ireland Departments, including their agencies, while the function of the Northern Ireland Commissioner for Complaints is to investigate similar complaints against local and public bodies. The list of non-departmental bodies which are subject to the jurisdiction of the Northern Ireland Commissioner for Complaints is as follows:—

Local bodies

Local Authorities (ie District Councils)
Any new town commission established under the New Towns Acts (Northern Ireland) 1965 to 1968 and any committee or sub-committee thereof.
Harbour Authorities.

Public Bodies

Agricultural Marketing Boards
Agricultural Research Institute of Northern Ireland
Arts Council for Northern Ireland
Council for Catholic Maintained Schools
Education and Library Boards
Enterprise Ulster
Fire Authority for Northern Ireland
Fisheries Conservancy Board for Northern Ireland
Health and Social Services Boards
Health and Social Services Trusts
Industrial Training Boards
Labour Relations Agency
Laganside Corporation
Livestock Marketing Commission for Northern Ireland
Local Enterprise Development Unit
Mental Health Commission for Northern Ireland
National Board for Nursing, Midwifery and Health Visiting for Northern Ireland
Northern Ireland Central Services Agency for the Health and Social Services
Northern Ireland Housing Executive
Northern Ireland Local Government Officers' Superannuation Committee
Northern Ireland Council for the Curriculum, Examinations and Assessment
Northern Ireland Sports Council
Northern Ireland Tourist Board
Special Health and Social Services Agencies
Trustees of the Ulster Folk and Transport Museum
Trustees of the Ulster Museum
Youth Council for Northern Ireland
Office of the Northern Ireland Commission for the Rights of Trade Union Members

Housing Policy Advisory Group

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland if he will list the members of the advisory group, including their occupations, established to undertake a review of Government housing policy in Northern Ireland; and if he will make a statement.

Mr. Tim Smith: The membership of the advisory group is as follows:

Chairman:	N. Hamilton	Under Secretary, Department of the Environment
Members:	W. V. Blease	Chief Executive, Northern Ireland Housing Executive
	E. Holmes	Director, Northern Ireland Federation of Housing Associations
	W. A. Doran	Deputy Director, Construction Employers' Federation
	Mrs. J. McCrum	Ex Director, Housing Rights Service
	D. J. A. Young	Chairman, Building Societies Association
	Ms C. Laird	Institute of Housing
	R. Best	Joseph Rowntree Foundation
	Prof. A. Murie	Heriot Watt University
	P. Sweeney	Northern Ireland Voluntary Trust
	R. J. Polley	Rent Officer for Northern Ireland
	Ms P. Bowen	Tenants Representative

Toll Roads

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what study his Department has made relating to the introduction of toll roads in Northern Ireland; and if he will make a statement.

Mr. Tim Smith: With the enactment of the necessary enabling legislation earlier this year, the Department of the Environment is in a position to introduce toll roads and will be prepared to consider suitable proposals.

Training Schemes

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) how many students, in each of the last two years, at each Government training centre in Northern Ireland received a placement with an employer prior to completing national vocational qualification level 2 examinations;

(2) how many students have left each Government training centre in Northern Ireland in each of the last two years without sitting national vocational qualifications level 2 examinations.

Mr. Tim Smith: Responsibility for the subject in question has been delegated to the Training and Employment Agency under its chief executive, Mr. J. S. Crozier. I have asked him to arrange for a reply to be given.

Letter from J. S. Crozier to Mr. Roy Beggs, dated 24 May 1994:

You have asked the Secretary of State for Northern Ireland how many students, in each of the last two years at each Government Training Centre in Northern Ireland received a placement with an employer prior to completing NVQ Level II examinations. You also asked how many students have left each Government Training Centre in Northern Ireland in each of the last two years without sitting NVQ Level II.

The Secretary of State has asked me, as Chief Executive of the Training and Employment Agency and therefore responsible for the operation of Training Centres to reply.

I should first explain that the general objective for trainees in Training Centres is that they should achieve qualifications at NVQ Level III. The normal procedure is that trainees spend a year in a Training Centre followed by a period of work placement and training with an employer of such duration as is necessary to enable the qualification to be secured. Since the Level III qualification is only achieved on the completion of the full programme, until recently trainees in general had no qualification as such on leaving the Training Centre after their first year.

In 1992/93 changes were introduced with the objective of enabling all trainees to achieve a Level II qualification on leaving the Centre before being placed with an employer on their way to Level III. However the unavailability of documentation at that time from Awarding Bodies made it necessary in many cases to place trainees in their employment placement and then to ask them to return to Training Centres to complete their NVQ Level II assessments as required.

The 1992/93 intake of trainees left Training Centres during 1993/94. Approximately 50% of leavers during 1993-94 were placed with an employer prior to completing all of the requirements of NVQ Level II. In total however including those who returned to Training Centres to complete their qualifications,. 74% achieved the Level II qualification. I regret that I do not have readily available in meaningful form figures showing precisely how many students left each Centre without assessment for NVQ Level II or who received a placement with an employer prior to completing NVQ Level II assessment. However I append a breakdown for each Centre showing the percentage of the 1992-93 intake which achieved a Level II qualification.

Figures are not yet available for the 1993-94 intake since the trainees recruited in that year have not yet left their respective Centres. It is expected however that 90% of those who finish their first year in 1994 will have achieved NVQ Level II before being placed with an employer.

Self-employment

Mr. Hunter: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland are self-employed.

Mr. Tim Smith: At June 1993, the latest date for which information is available, there were an estimated 74,500 self-employed persons in Northern Ireland.

Company Sizes

Mr. Hunter: To ask the Secretary of State for Northern Ireland how many companies in Northern Ireland employ *(a)* fewer than 50 people and *(b)* more than 500 people.

Mr. Tim Smith: There are approximately 21,000 non-agricultural enterprises in the private sector in Northern Ireland employing fewer than 50 employees and 55 enterprises with more than 500 employees.

IRA Interviews

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many orders under schedule 7 to the Prevention of Terrorism (Temporary Provisions) Act 1989 have been served on journalists of *Republican News* or *An Phoblacht* in respect of interviews with members of the Irish Republican Army.

Sir John Wheeler: None.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Northern Ireland what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Sir John Wheeler: The present number of civil servants taking legal action against the Northern Ireland Office and Northern Ireland Departments as a result of work-related upper limb disorders is eight.

Birth Control and Abortion

Mr. Austin-Walker: To ask the Secretary of State for Northern Ireland if he has studied the results of the survey on attitudes to birth control and abortion carried out by Ulster Marketing Surveys, a copy of which has been sent to him; and if he will make a statement.

Mr. Ancram: I am aware of the results of the opinion polls carried out in 1992 and 1993. Ministers welcomed these surveys as a useful contribution to informing debate within Northern Ireland on these topics.

Mr. Austin-Walker: To ask the Secretary of State for Northern Ireland what plans he has to extend the Abortion Act 1967 to Northern Ireland.

Mr. Ancram: None. The Government have consistently held to the view that legislation should not be introduced to reform Northern Ireland abortion laws unless this is likely to command broad support within the Province. While concluding that such support did not exist, the Government have in the past undertaken to keep the matter under review and to be prepared to modify their policy to take account of any significant shift in public opinion which may occur.

Running Cost Limits

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will make a statement about the 1994-95 running cost limits for the Northern Ireland Office and Northern Ireland Departments.

Sir John Wheeler: The gross running costs limit for 1994-95 for the Northern Ireland Office and the Northern Ireland Departments is £787,031,000. There is also a net running cost limit for the Driver and Vehicle Testing Agency. Details of the provision for individual Northern Ireland Departments are set out in the Northern Ireland Estimates which were laid before the House today.

Fair Employment (Northern Ireland) Act 1989

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will place in the Library the review prepared by the Chief Constable of the RUC under section 31 of the Fair Employment (Northern Ireland) Act 1989.

Sir John Wheeler *[holding answer 23 May 1994]*: No. There is no obligation under the Fair Employment (National Insurance) Act 1989 to make reviews under section 31 available to any person or organisation. I understand that the review prepared by the Chief Constable in fulfilment of the requirements of the Act, as an internal document, contains information which could prejudice the security of individual police officers. It is not appropriate that it be made public, but I understand that the Chief Constable has made it available to the Fair Employment Commission. It is the policy of the RUC that no member or job applicant receive less favourable treatment on the grounds of sex, marital status, religion or political opinion.

SCOTLAND

Local Government Finance

16. **Mr. David Shaw:** To ask the Secretary of State for Scotland if he will make a statement about current levels of local government expenditure in Scotland.

Mr. Stewart: An analysis of the 1994-95 budget estimates of all Scottish local authorities has recently been completed and I am pleased to say that all authorities have budgeted at or below the expenditure limits implied by the provisional capping principles which my right hon. Friend announced on 30 November 1993. In those circumstances, my right hon. Friend does not propose to take capping action against any Scottish local authority this year.

Full Employment Programme

17. **Mr. Wray:** To ask the Secretary of State for Scotland what steps he has taken to establish a new full employment programme for Scotland.

Mr. Lang: I have given priority to measures which create an environment in which companies will create new jobs and I am encouraged by the fall in seasonally adjusted unemployment in Scotland in eight of the last nine months.

Trades Union Congress

18. **Ms Rachel Squire:** To ask the Secretary of State for Scotland when he next plans to meet the Scottish Trades Union Congress to discuss the economy and employment; and if he will make a statement.

Mr. Lang: My ministerial colleagues and I have frequent contacts with the STUC on matters concerning the Scottish economy. We look forward to a continuing exchange of views.

Geriatric Beds

19. **Mr. Foulkes:** To ask the Secretary of State for Scotland what was the total number of *(a)* geriatric and *(b)* psychogeriatric beds in national health service hospitals in Scotland on the most recent available date; and what were the equivalent numbers for the same date three years previously.

Mr. Stewart: In December 1990 there were 11,341 geriatric assessment and long-stay beds in the NHS in Scotland. At December 1993 there were 10,433 beds. Over the same period the number of psychogeriatric beds increased from 5,875 to 6,036.

Ambulance Service

21. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland when he last met the general manager of the Scottish ambulance service to discuss its future.

Mr. Stewart: My right hon. Friend the Secretary of State has had no recent discussions with the general manager regarding the future of the Scottish Ambulance Service. The chief executive of the management executive of the NHS in Scotland visited the headquarters of the Scottish Ambulance Service on 25 April and he met the general manager of the Scottish Ambulance Service on Friday 13 May. The future of the Scottish Ambulance Service was discussed on both occasions.

Mrs. Fyfe: To ask the Secretary of State for Scotland what are the minimum qualifications for a driver of an accident and emergency ambulance; and whether exceptions among such post holders have been drawn to his attention.

Mr. Stewart: All recruits to the Scottish Ambulance Service must have a clean driving record with a minimum of two years' experience.

Since 1981 new accident and emergency staff have been required to complete a two-week roadcraft driving course. In those rural areas where contractors or ambulance auxiliaries are used as drivers an assessment is made of their driving standards by a qualified ambulance service driving instructor and training is given as appropriate.

The Scottish Ambulance Service management has a protocol that in exceptional circumstances non-emergency staff may drive an accident and emergency vehicle.

No other exceptions have been drawn to the attention of my noble and learned Friend.

37. **Dr. Godman:** To ask the Secretary of State for Scotland what recent representations he has received concerning the prospect of awarding trust status to the Scottish Ambulance Service; and if he will make a statement.

Mr. Stewart: My right hon. Friend is aware of an early-day motion on 5 May about trust status for the Scottish Ambulance Service but has not received any other representations. The trust application is out for public consultation and all comments received will be carefully considered before a decision is made.

Quangos

22. **Mr. Home Robertson:** To ask the Secretary of State for Scotland how many people currently serving on quangos in Scotland are appointed by him; and how many further appointments would be required if the Local Government etc. (Scotland) Bill were to be implemented.

Mr. Lang: The number of people serving on bodies sponsored by my Department and appointed by the Secretary of State for Scotland, as at 1 September 1993, was 1,472. This excludes children's panel members. The Local Government etc. (Scotland) Bill makes provision for the establishment of a number of public bodies and the abolition of a number of others—such as the Scottish Valuation Advisory Council and many area tourist boards. It is too early to say what the overall effect will be.

Local Government Reorganisation

23. **Dr. Reid:** To ask the Secretary of State for Scotland what discussions he has recently had with the Convention of Scottish Local Authorities to discuss the proposed changes to local government in Scotland.

Mr. Stewart: My right hon. Friend last met the Convention of Scottish Local Authorities on 28 January 1994. The Convention did not raise any issues relating to local government reform at that meeting.

24. **Mr. Salmond:** To ask the Secretary of State for Scotland when he next intends to meet representatives of the Convention of Scottish Local Authorities to discuss local government reform; and if he will make a statement.

Mr. Stewart: My right hon. Friend and I are scheduled to meet the Convention of Scottish Local Authorities on 22 July as part of the normal consultation on local government finance matters. It is likely that local government reform will be discussed at that meeting.

Mr. Canavan: To ask the Secretary of State for Scotland if he will list the names and locations of schools which would have catchment areas crossing the local education authority boundaries proposed in the Local Government etc. (Scotland) Bill; and how many pupils will be affected in each case.

Lord James Douglas-Hamilton: Comprehensive information on school catchment areas is not held centrally within the Scottish Office. I cannot therefore add to what I said to the hon. Member during the debate on the Local Government etc. (Scotland) Bill on 18 May. Catchment areas are in any case unaffected by the proposed changes in local government boundaries and catchment areas at the time of local government reorganisation would remain in place unless and until the new authorities seek to change them.

Mr. Worthington: To ask the Secretary of State for Scotland what is his estimate of savings on staff costs through local government reorganisation; and how this was calculated.

Mr. Stewart: The Government estimate that a 32 unitary authority structure of local government will save up to £52 million per year in staff costs. The savings are calculated to accrue from a reduction in the number of local authority posts of up to 1,800.

38. **Mr. Nigel Griffiths:** To ask the Secretary of State for Scotland what further representations he has received on his proposals for local government.

Mr. Stewart: My right hon. Friend continues to receive a range of representations about the Government's proposals for local government reform in Scotland. Since January I have also met 25 hon. Members who accompanied delegations to discuss the new structure.

Training

25. **Mr. McAllion:** To ask the Secretary of State for Scotland when he last met representatives of the Scottish Enterprise Network to discuss the current level of provision for training in Scotland.

Mr. Stewart: My right hon. Friend met the chairman and chief executive of Scottish Enterprise at the local enterprise company conference on 25 March 1994 when a range of issues, including training, was discussed.

33. **Mr. Ernie Ross:** To ask the Secretary of State for Scotland when he last met Scottish Enterprise to discuss training for young people.

Mr. Stewart: My right hon. Friend met the chairman and chief executive of Scottish Enterprise at the local enterprise company conference on 25 March 1994 when a range of issues, including training for young people, was discussed.

Environmental Protection Agency

26. **Mr. Kirkwood:** To ask the Secretary of State for Scotland if he will reconsider the Government's current proposals to introduce legislation to create a Scottish environmental protection agency; and if he will make a statement.

Sir Hector Monro: We remain committed to the establishment of the Scottish Environment Protection Agency, and legislation will be introduced shortly to enable detailed planning to proceed.

Sport and Recreation

27. **Mr. Canavan:** To ask the Secretary of State for Scotland whether he will introduce measures to improve sport and recreational facilities in Scotland.

Sir Hector Monro: The provision of sport and recreational facilities is primarily for local authorities to determine. The Scottish Sports Council, funded by Government and which provides national specialist sports facilities at Inverclyde, Cumbrae and Glenmore Lodge, offers an expert advisory service to local authorities for new development in sport facilities. The national lottery will offer exciting opportunities for further improvement of sport and recreational facilities throughout Scotland.

Forestry Commission

28. **Mr. Tipping:** To ask the Secretary of State for Scotland what plans he has to make the Forestry Commission a "next steps" agency.

Mr. Lang: My fellow forestry Ministers and I are currently considering the report of the forestry review group which was asked to review, among other things, the options for the ownership and management of Forestry Commission woodlands. An announcement about our conclusions will be made in due course.

Health Service

29. **Mr. Charles Kennedy:** To ask the Secretary of State for Scotland if he will make a statement on the Scottish health service.

Mr. Stewart: The NHS in Scotland is treating a record number of patients, is progressively reducing the amount of time people wait for treatment, is providing more information and more choice to patients, and is funded at record levels.

Manufacturing

30. **Mr. Oppenheim:** To ask the Secretary of State for Scotland whether he will make a statement on productivity in manufacturing.

Mr. Stewart: Manufacturing productivity in Scotland —defined as output per person employed—is at an all-time high.

It is estimated that Scotland's productivity growth in the 1980s was above that in any of the G7 economies. This impressive performance was maintained in 1993, when output per person employed was 5·1 per cent. higher than in 1992.

Sports Funding

31. **Mr. Maxton:** To ask the Secretary of State for Scotland when next he intends to meet the chairman of the Scottish Sports Council to discuss funding of sport in Scotland.

Sir Hector Monro: I met the chairman of the Scottish Sports Council as recently as 6 May and expect that I will meet him again in the near future, when the funding of sport in Scotland may well be discussed.

Long-term Health Care

32. **Mr. Connarty:** To ask the Secretary of State for Scotland what guidelines are issued to health boards and health trusts on the choice of health care for elderly patients requiring long-term health care.

Mr. Stewart: My right hon. Friend has issued no such guidelines. Choice of health care is determined by clinical assessment and need. It is for individual health boards to determine the care needs for their elderly population and to purchase accordingly. In so doing they are expected to have due regard for the Government's community care objectives and what is best for the individual.

Economy

34. **Mr. McMaster:** To ask the Secretary of State for Scotland when he next plans to meet representatives of the Scottish Trades Union Congress to discuss the Scottish economy.

Mr. Stewart: I refer the hon. Member to my right hon. Friend's reply earlier today to the hon. Member for Dunfermline, West (Ms Squire).

Local Services

35. **Mr. Dunnachie:** To ask the Secretary of State for Scotland when he next plans to meet representatives of the Convention of Scottish Local Authorities to discuss local services.

Mr. Stewart: My right hon. Friend and I are next scheduled to meet representatives of the Convention of Scottish Local Authorities on 22 July as part of the normal consultation on local government finance matters.

Trauma Centres

36. **Mr. Kynoch:** To ask the Secretary of State for Scotland what representations he has had from the medical profession regarding his proposals to set up major trauma centres in Scotland.

Mr. Stewart: Since publication of the report "Emergency Healthcare in Scotland: Future Structure of Accident and Emergency Services" on 11 April, no representations have been received from the medical profession.

Hospital Trusts

39. **Mr. Donohoe:** To ask the Secretary of State for Scotland when he next expects to meet the chairman of the health boards to discuss the hospital trusts.

Mr. Stewart: My noble and learned Friend the Minister of State is due to meet health board chairmen on 24 June 1994.

Mobile Telephones

Mr. Vaz: To ask the Secretary of State for Scotland what was the cost of calls made on *(a)* car and *(b)* portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. Lang: The cost of calls made on *(a)* car telephones in 1993-94 amounted to £11,275; this equipment cost £6,948 to buy or hire and there were no maintenance costs. The cost of calls on *(b)* portable telephones was £31,236; this equipment cost £69,102 to buy or hire and the maintenance costs amounted to £2,035.

Accident and Emergency Services

Mrs. Fyfe: To ask the Secretary of State for Scotland what is the current average waiting time at each accident and emergency department for emergency cases; and what were the times at the same period in 1993.

Mr. Stewart: Information on waiting times in accident and emergency departments has not previously been collected centrally, but arrangements are in hand to collect this in future.

Fishing, Aberfeldy

Dr. Strang: To ask the Secretary of State for Scotland what representations he has received about loss of public access to fishings controlled by the Aberfeldy angling club in respect of the River Tay Catchment Area Protection Order; and if he will make a statement.

Sir Hector Monro: Representations have been received from two parties over access to fishings on the River Tay controlled by the Aberfeldy Angling Club, one of which was on behalf of the Scottish Campaign for Public Angling. These were additional to the inquiry from the hon. Member.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Scotland what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Lang: There are no civil servants currently taking such legal action.

Housing Improvement

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will release immediate dedicated funding that will enable Scottish local authorities to eradicate dampness in their housing stock; and if he will make a statement.

Lord James Douglas-Hamilton: Substantial resources totalling some £426 million have been made available to local authorities for investment in their housing stock. It is for local authorities themselves to determine how to utilise the resources made available to them. However, under the housing plan system introduced on 30 April 1993 local authorities are asked to give priority to tackling condensation and dampness, within their capital programmes.

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will release immediate cash funding to

Scottish local authorities to enable them to upgrade and modernise housing stock in areas such as Glasgow, Pollock; and if he will make a statement.

Lord James Douglas-Hamilton: Substantial resources totalling some £426 million have been made available to local authorities in 1994-95 for investment in their housing stock. These allocations are generally not earmarked for specific purposes and it is for local authorities themselves to determine the use to which these resources are put, including the level of expenditure on the upgrading and modernisation of their stock.

Mr. Dunnachie: To ask the Secretary of State for Scotland what amount of money has been spent on improving and adapting privately owned, privately rented and local authority houses in Scotland in the 12-month period ended 31 March in order to accommodate the community care programme; and if he will make a statement.

Lord James Douglas-Hamilton: The information requested is not held centrally.

Sheltered Accommodation

Mr. Dunnachie: To ask the Secretary of State for Scotland how many persons are currently living in sheltered accommodation in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: Figures are held only centrally on the total number of sheltered dwellings in Scotland and are included in the publication "Housing Trends in Scotland: Quarter ended 31 December 1993—Table 1, HSG/1994/4" which is available in the Library.

Acquired Rights Directive

Mr. Worthington: To ask the Secretary of State for Scotland what assumption he made, in his estimate of savings on staff costs through local government reorganisation, on the applicability of the acquired rights directive to the transfer of staff to the proposed new local authorities.

Mr. Stewart: The question of whether or not the acquired rights directive applies to transfers of staff to the proposed new local authorities does not have implications for the Government's estimates of the number of posts that will be saved as a result of local government reorganisation.

Gamma Ray Survey

Mr. Llew Smith: To ask the Secretary of State for Scotland when he received the report commissioned by his Department from the Scottish universities research and reactor centre at East Kilbride on the air gamma ray survey of parts of south-west Scotland; what evaluation has been made of the report; and what action he intends to take as a result.

Sir Hector Monro: The report of the aerial radiation survey undertaken by the Scottish Universities Research and Reactor Centre, was received in the Scottish Office on 25 March 1994. The survey was undertaken to examine the technique for rapidly monitoring radioactivity in the event of an emergency and to establish baseline radiation levels. The report offers suggestions for maintaining the aerial survey equipment in a state of readiness and makes recommendations about the monitoring and assessment of environmental radioactivity in the areas surveyed. The report's recommendations will be considered by the chief inspector of Her Majesty's industrial pollution inspectorate.

Chapelcross Nuclear Site

Mr. Llew Smith: To ask the Secretary of State for Scotland whether section 6.4 in the appendix to his departmental guidance note on integrated pollution control, Scotland, applies to military nuclear activities at the Chapelcross nuclear site operated by British Nuclear Fuels.

Sir Hector Monro *[holding answer 24 May 1994]:* No uranium processes, prescribed for authorisation under integrated pollution control, are carried on at the Chapelcross nuclear site. Further, for any site subject to a nuclear site licence made under the Nuclear Installations Act 1965, any such processes are exempted from authorisation by virtue of the terms of section 6(4). Thus for both reasons the section does not apply to any activities carried on at the site.

Ferry Services

Mr. Macdonald: To ask the Secretary of State for Scotland when he expects KPMG to conclude its review of Scottish ferry services; and when he expects to be able to publish its findings.

Lord James Douglas-Hamilton *[holding answer 24 May 1994]:* We expect to receive the final report from the consultants shortly. The report is likely to contain a considerable amount of commercially sensitive information which it would not be appropriate to publish. Pending consideration of the report I cannot give any indication of whether or when any findings may be published.

Parliamentary Counsel

Ms Lynne: To ask the Secretary of State for Scotland on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Lang: Scottish Office Ministers have not on any occasion since April 1992 requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private members. On one occasion, in respect of the Carrying of Knives Etc. (Scotland) Bill, Ministers authorised an amendment which was tabled during the Committee stage by the Bill's sponsor.

HEALTH

Medical Research

Ms Gordon: To ask the Secretary of State for Health what the Government's total annual medical research commitment is as a percentage of the health budget.

Dr. Mawhinney: The United Kingdom Government's expenditure on health and medical research accounted for about 1·4 per cent. of the total United Kingdom health budget, of £37,379 million, in 1992-93.

Open Government

Ms Primarolo: To ask the Secretary of State for Health what is the remit of the task force on open government in the NHS and its sub groups.

Dr. Mawhinney: The steering group of the task force on "Openness in the NHS", which held its first meeting in February 1994, has the following broad remit:

> "to establish a balance between effective management of health service business on the one hand, and access for the public to information and involvement in decision-taking on the other,
>
> to provide a Code of Practice on Openness in the NHS,
>
> to recommend guidance on information to be made available by NHS organisations, and
>
> to make initial recommendations to the Secretary of State by June 1994."

Three working groups have been established to support the steering group by considering the issues as they relate to providers, purchasers and those who contract to provide patient services to the NHS.

The remit of all three groups is:

> "(i) To identify regularly available documents, and other categories of information, which should normally be made available to the public,
>
> (ii) To identify documents, and categories of information, which may not be suitable for issuing to the public,
>
> (iii) To make proposals on the principles underlying a scheme of fees for the release of information, and
>
> (iv) To put their proposals in the context of other developments which may contribute to increasing public involvement in the NHS".

Accident and Emergency Services

Mr. Redmond: To ask the Secretary of State for Health what reports she has received from Trent regional health authority concerning the extent to which the accident and emergency departments at hospitals within the region reached patients charter standards during the quarter ended *(a)* 31 December 1993 and *(b)* 31 March 1994.

Dr. Mawhinney: The national health service executive does not collect centrally, as a matter of routine, information on individual national health service trusts and directly managed units in this area.

However, a special exercise is taking place to gather data for the first set of national health service performance tables which will be published shortly.

Doctors (Out-of-hours Work)

Mr. Redmond: To ask the Secretary of State for Health when she received the report by KPMG Peat Marwick about out-of-hours work by doctors.

Dr. Mawhinney: A draft report was received on 30 March. The final version is due shortly.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Health what is the present number of civil servants taking legal action against her Department as a result of work-related upper limb disorders.

Mr. Sackville: None.

Hospital Consultants

Mrs. Wise: To ask the Secretary of State for Health how many hospital consultants are at present suspended from their duties; for how long each has been suspended; and how many others have been suspended over the course of the last decade.

Dr. Mawhinney: We do not collect such information. Decisions, including possible suspensions, rest with the employing authority.

Powered Wheelchairs

Mr. Peter Griffiths: To ask the Secretary of State for Health when she expects to take action in response to the recommendation of the McColl report—ISBN 0 948 064 269 HMSO 1986—that high performance and dual-purpose powered chairs be provided for severely disabled people who satisfy the agreed criteria; and if growing children will be regarded as qualifying for this service.

Mr. Bowis: The issue of wheelchairs, including high performance and dual-purpose powered wheelchairs, is a matter for determination between health authority purchasers, in the light of their priorities and resources, and national health service hospital and community units. This includes provision for growing children where appropriate.

NHS Trusts

Mrs. Lait: To ask the Secretary of State for Health what guidelines are given to NHS trusts in calculating full or marginal costs when bidding for contracts.

Mr. Sackville: Costing guidance given to national health service trusts, for use when negotiating contracts with NHS bodies for the provision of health care, is contained in "The Costing For Contracting Manual", which consists of FDL(93)59, FDL(93)76 and FDL(94)10.

The fundamental principles behind the costing of services within the NHS are that: price should be equal to cost, costs should be established on a full cost basis, there should be no planned cross subsidisation between "contracts" and that a minimum standard of cost classification should be established.

Price can only be established on a marginal cost basis where there is, in year, unplanned spare capacity.

The rules for private patient contracts are contained in Her Majesty's Treasury "Fees and Charges Guide".

Copies of all the documents are available in the Library.

Human Fertilisation and Embryology Authority

Mr. Alton: To ask the Secretary of State for Health what guidelines are issued by the Human Fertilisation and Embryology Authority concerning the disposal of the human embryo in establishments which they license.

Mr. Sackville: Guidance is included in section 7.19 of the Human Fertilisation and Embryology Authority's code of practice, copies of which are available in the Library.

Mr. Alton: To ask the Secretary of State for Health what was the income derived from the sale of Human Fertilisation and Embryology Authority licences in the last financial year; how much was generated by the sale of treatments; what percentage of the Human Fertilisation and Embryology Authority's income is generated by the sale of licences and treatments; how many licences and treatments were declined; and what consideration she has given to the propriety of a medical ethics committee having to meet financial targets as part of its remit.

Mr. Sackville: The Human Fertilisation and Embryology Authority was established by Parliament under the Human Fertilisation and Embryology Act 1990 to license and control centres providing certain infertility treatments, undertaking embryo research or storing gametes or embryos. The HFEA aims are to ensure the effective regulation of such centres, to promote good practice in centres and to provide relevant advice and information as necessary. One of its objectives is to identify the ethical and social implications of developments in research and treatment and to develop policy accordingly.

The HFEA's main financial regime is designed to enable it to carry out the functions laid down for it in the 1990 Act. The HFEA's main financial objective is to carry out its statutory duties efficiently, effectively and economically and to recover in licence fees the proportion of income determined by my right hon. Friend the Secretary of State and the Treasury.

In 1992-93, the last year for which audited accounts are available, licence fee income was £686,040, 66·8 per cent. of the HFEA's total budget. In the same year five licences were refused, including two for research applications. Unaudited accounts for 1993-94 show a fee income of £830,932, 70·8 per cent. of the HFEA's total budget. In that year one treatment licence was refused, one licence revoked and one licence suspended. In addition, four research applications were refused.

Information about licensed centres' income and treatments refused is not available centrally.

Child Care Services, Lambeth

Mr. Fraser: To ask the Secretary of State for Health what assessments he has made of the further report into child care services in Lambeth which had been requested by her Department to be delivered by 1 March.

Mr. Bowis: The report into child care services in Lambeth for the period up to 1 March 1994 gave continuing cause for concern about the provision and operation of child protection and child care services in the borough, including a serious deterioration in the situation with unallocated cases. In April, Lambeth was asked to send a further report on the situation, and the steps it is taking to bring about improvement. This report is awaited.

Deregulated Drugs (Advertising)

Mr. Dunnachie: To ask the Secretary of State for Health if she will take steps to ensure that major pharmaceutical companies cease their present practice of naming a specific high street retailer when advertising their newly deregulated drugs; and if she will make a statement.

Mr. Sackville: No. The naming of retail outlets in advertisements for over-the-counter medicines is a matter of commercial judgment for the company concerned.

Cancer

Mr. Sheerman: To ask the Secretary of State for Health (1) what percentage of research into cancer in the United Kingdom is funded by *(a)* charities and *(b)* the Government;

(2) what steps she is taking to improve funding of cancer research in the United Kingdom.

Dr. Mawhinney: The advisory group on national health service research and development priorities relating to cancer will report to the Department's central research and development committee in July. Proposals for research relating to the identified priorities will be called for later in the year.

It is impossible to identify the percentage of research into cancer in the United Kingdom as it is not known how much pharmaceutical companies invest in cancer research each year. Also, it is not possible to identify clinical research supported through local NHS research programmes or excess service costs for the NHS attributed to cancer research.

Mr. Martyn Jones: To ask the Secretary of State for Health how many cases of bone cancer per 100,000 head of population there have been in England in each year since 1970.

Mr. Sackville: The information is shown in the table.

Bone cancer (ICD[1] 170): incidence rates per 100,000 population, England, 1971-1988

1971	0·92
1972	0·89
1973	0·84
1974	0·87
1975	0·90
1976	0·88
1977	0·81
1978	0·83
1979	0·88
1980	0·80
1981	0·96
1982	0·84
1983	0·86
1984	0·87
1985	0·88
1986	0·84
1987	0·88
1988	0·94

[1] International Classification of Diseases, 8th and 9th Revisions.

Published data at the national level are available only when information has been obtained from all of the regional cancer registries; delays occurring in a small number of registries have therefore meant that the latest available cancer registration data are for 1988.

Mr. Martyn Jones: To ask the Secretary of State for Health how many cases of cancers of all types per 100,000 head of population there have been in England in each year since 1970.

Mr. Sackville: The information is shown in the table.

All malignant neoplasms[1]: incidence rates per 100,000 population, England, 1971-88

Year	*Per cent.*
1971	290·5
1972	293·5
1973	305·0
1974	328·2
1975	325·8
1976	331·2
1977	337·7
1978	337·5
1979	341·7
1980	340·8
1981	347·3
1982	352·0
1983	353·1
1984	355·9
1985	378·3
1986	372·4
1987	386·6
1988	407·8

[1] For 1971-1978 inclusive, ICD codes 140-209 excluding ICD 173 (non-melanoma skin cancer, which is known to be under-registered); for 1979 onwards, ICD codes 140-208 excluding ICD 173.

Published data at the national level are available only when information has been obtained from all of the regional cancer registries; delays occurring in a small number of registries have therefore meant that the latest available cancer registration data are for 1988.

Myalgic Encephalomyelitis

Mr. Flynn: To ask the Secretary of State for Health what assessment she has made of the report of the conference on myalgic encephalomyelitis held in Dublin.

Mr. Sackville: None. The conference was held on 18 to 20 May and no official report of the presentations has so far emerged.

Consultants (Pension Rights)

Mr. David Young: To ask the Secretary of State for Health in what circumstances a consultant changing from one trust hospital to another will lose pension rights.

Dr. Mawhinney: None.

Press Office

Ms Primarolo: To ask the Secretary of State for Health, pursuant to her answer of 11 May, *Official Report*, column 159, what information she has about the budget for her press office in each year from 1990-91 to 1994-95 in any form that is available or as part of another budget.

Mr. Sackville: The press office is not separately identified in the overall budget for the Department's information division. The manpower cost of the present 14 staff employed in the press office is £396,108. This figure does not include other divisional running costs.

This information is not available for previous years.

City Deprivation Scores

Ms Primarolo: To ask the Secretary of State for Health what is the deprivation score for inner London and the 10 biggest cities outside London.

Dr. Mawhinney: This information is not available in the form requested.

Paediatric Beds

Ms Primarolo: To ask the Secretary of State for Health if she will give the total number of paediatric beds in *(a)* the London implementation group area and *(b)* nationally in each of the last five years.

Dr. Mawhinney: I refer the hon. Member to the reply I gave her on 11 May at column *157*.

GP Fundholders

Mr. Blunkett: To ask the Secretary of State for Health what is her estimate for the value of fundholding allocations retained by general practitioner fundholders at the year end for 1993-94.

Dr. Mawhinney: Information about general practitioner fundholders' efficiency savings for 1993-94 will not be available until later in the year.

District Health Authorities, Nottinghamshire

Mr. Tipping: To ask the Secretary of State for Health if she will list, for each NHS trust within the North Nottinghamshire and Nottingham district health authority areas, those non-executive directors who live *(a)* within and *(b)* outside the boundaries of each district health authority.

Dr. Mawhinney: All chairmen and non-executive directors appointed to national health service trusts within the areas covered by the North Nottinghamshire health authority and the Nottingham health authority who live within the respective authorities boundaries are listed.

North Nottinghamshire Health Authority
Bassetlaw Hospital and Community Health Services NHS Trust
Mrs. J. Lee
Mr. L. Taylor
Mr. P. Reynard
Mrs. L. Turner
Mr. R. Hassett

King's Mill Centre for Health Care Services NHS Trust
Mr. D. Venn (Chairman)
Mrs. F. Stein

Central Nottinghamshire Healthcare NHS Trust
Mr. G. Vere-Laurie (Chairman)
Ms L. Hamer
Ms A. Vinter
Mrs. E. Hanson

Nottingham Health Authority
Nottinghamshire Ambulance Service NHS Trust
Mrs. G. Coppel
Mr. A. Baines

Nottingham City Hospital NHS Trust
Mr. N. Deakin (Chairman)
Mr. R. Illingworth

Nottingham Community Health NHS Trust
Mr. B. Cooke
Mr. M. Rudge
Professor C. Chilvers

Nottingham Healthcare NHS Trust
Mr. R. Little (Chairman)
Mrs. H. Markson
Mr. J. Tarrant
Mrs. U. Sood

Queen's Medical Centre, Nottingham University Hospital NHS Trust

Mr. M. Suthers (Chairman)
Mr. G. Longbottom
Professor E. Symonds

Consultant Episodes

Mr. Blunkett: To ask the Secretary of State for Health if she will publish a table showing the total number of finished consultant episodes within each English health region for 1993-94.

Mr. Sackville: Finalised figures are not yet available.

Cars (Expenditure)

Mr. Blunkett: To ask the Secretary of State for Health what was the expenditure on cars by *(a)* regional health authorities, *(b)* district health authorities and *(c)* trusts in 1993-94.

Mr. Sackville: The information for 1993-94 is not yet available.

Birmingham Hospitals

Ms Primarolo: To ask the Secretary of State for Health how many hospitals there were in Birmingham in each of the last 10 years.

Mr. Sackville: This information is not available centrally. The hon. Member may wish to contact Mr. Bryan Baker, the chairman of West Midlands regional health authority, for details.

London Hospitals

Ms Jowell: To ask the Secretary of State for Health what assumptions she makes about the additional costs for teaching, research and overheads for London hospitals.

Dr. Mawhinney *[holding answer 23 May 1994]:* In allocating resources, we assume that teaching hospitals incur excess costs, compared with those of other hospitals, which are attributable to the impact of teaching and research on the hospitals' services. The arrangements for allocating resources to regional health authorities include a service increment for teaching and research which recognises the excess costs. In 1994-95 they are assumed to be £37,744 per medical clinical undergraduate student outside London and £41,141 in London.

Research

Mr. Blunkett: To ask the Secretary of State for Health what was the total cost of the research projects her Department has commissioned for the past five years; and what was the total cost of projects undertaken by staff employed by *(a)* universities and polytechnics, *(b)* independent research institutes, *(c)* health authorities, *(d)* management consultants and *(e)* other organisations, in each of those years.

Dr. Mawhinney *[holding answer 20 May 1994]:* The total cost of research commissioned by the Department for the past five years is shown in the table and includes the Department's centrally commissioned programme for health and personal social services research:

Year	*Cost £ million*
1993-94	[1]33·9
1992-93	31·3
1991-92	27·4
1990-91	23·7
1989-90	19·2

[1] Estimate.

Source: Forward Look of Government-funded Science, Engineering and Technology, HMSO, 1994.

This information does not include the cost of research carried out by Department of Health-sponsored non-departmental public bodies which is not commissioned by the Department, but by the NDPBs in line with their statutory responsibilities or in agreement with the Department of Health. The forward look includes research commissioned by the Department and by the NDPBs.

For the years before 1992-93 information about where the research was carried out was not collated centrally in the form requested and could be provided only at disproportionate cost.

Long-term Care

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what action she takes to identify cases where patients require long-term or permanent levels of medical care with unusually high levels of funding requirements; and what steps are taken to assist district health authorities in meeting these additional costs;

(2) if she will ring-fence funding for special medical cases where individual care needs are of an unusually high level; and if she will make a statement.

Mr. Sackville: District health authorities and general practice fundholders are responsible for purchasing health care for the identified health needs of their populations including high-cost cases.

OVERSEAS DEVELOPMENT

Aid Distribution

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage and cash amount of Overseas Development Administration assistance has been allocated to *(a)* bilateral aid, *(b)* the European Union, *(c)* international financial institutions, *(d)* east and central Europe know-how funds and *(e)* other recipients over each of the past five years.

Mr. Lennox-Boyd: The breakdown of overseas development assistance is as follows:

	1988-89		1989-90		1990-91		1991-92		1992-93	
	£000	*Per cent.*	*£000*	*Per cent.*	*£000*	*Per cent.*	*£000*	*Per cent.*	*£000*	*Per cent.*
(a) **Bilateral aid to developing countries**	831,859	56·8	925,416	56·7	1,020,358	60·0	983,483	49·8	1,036,274	49·6
(b) **European Union**	264,039	18·0	281,727	17·2	321,739	18·9	443,434	22·5	442,782	21·2
(c) **International Financial Institutions**	234,239	16·0	230,788	14·1	192,661	11·3	298,821	15·1	351,617	16·8
(d) **Know How Fund**	0	0·0	2,178	0·1	14,164	0·8	28,348	1·4	46,761	2·2
(e) **Other**[1]	133,337	9·1	193,458	11·8	151,560	8·9	220,808	11·2	213,932	10·2

[1] "Other" consists of:
1. *Bilateral*
CEE/FSU—Food aid and Disaster relief.
Other ODA Expenditure—Polish Interest Stabilisation Fund.
2. *Multilateral*
UN Agencies, Commonwealth organisations, International research organisations.
3. Administration costs.

Investment Personnel

Mr. David Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the know-how fund's training for investment personnel scheme; and if he will make a statement.

Mr. Douglas Hogg: The training for investment personnel scheme was introduced in August 1990 as the second of two investment support schemes for British business under the auspices of the know-how fund. To date 120 businesses have taken up TIPS grant offers totalling £2·89 million. Further details about the scheme are in the answer given by my hon. Friend the Parliamentary Under-Secretary of State to the hon. Member for Monklands, West (Mr. Clarke) on 17 December 1993 at columns *923-24*.

In the light of the growing demand for grant from British business since 1990, we have decided that the scope and criteria of the scheme should remain, but that in the future the basis for approving grant should be the number of trainees trained, with a ceiling of 70 per cent. on the proportion of eligible costs met. Small companies are likely to qualify for the higher rate of grant. The maximum amount of grant available for all applications will continue to be £50,000.

These changes will take effect on 1 June.

Paul Goodall

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will list the dates on which meetings or contact was made with the Bosnian authorities to discuss the murder of Mr. Paul Goodall;

(2) what contact has been made with Interpol regarding the murder of Mr. Paul Goodall;

(3) when a representative of the Overseas Development Administration last met the public prosecutor in Zenica to discuss the murder of Mr. Paul Goodall;

(4) if a written report on the circumstances surrounding the murder of Mr. Paul Goodall has been received from the public prosecutor in Zenica;

(5) what assistance has been given to the Islamic fund-raising organisation AGASI.

Mr. Lennox-Boyd *[holding answers 23 May 1994]:* We are doing all we can to insist that the Bosnian authorities carry out a proper investigation into the murder of Paul Goodall and bring the killer or killers to justice. The Overseas Development Administration has had numerous contacts with the Bosnian authorities since Mr. Goodall's murder and an ODA representative last met the public prosecutor in Zenica on 8 April 1994. The Bosnian authorities have decided not to issue a report on the circumstances surrounding Mr. Goodall's murder on legal grounds as this could influence the pre-trial investigation.

The new chargé d'affairs in Sarajevo who arrived in late April has had a meeting with the Minister of Justice and the Deputy Interior Minister to press for action, and will have further contacts with the police in Sarajevo. He will shortly be travelling to Zenica to pursue the matter further there.

We understand that the Bosnian Government have not so far involved Interpol. The chargé d'affairs is encouraging the Bosnian Government to draw on all possible sources of assistance.

We have no knowledge of an Islamic fund-raising organisation called AGASI, and have given it no funding.

DEFENCE

Royal Windsor Horse Show

Sir Nicholas Bonsor: To ask the Secretary of State for Defence for what reasons the King's Troop Royal Horse Artillery did not participate in this year's royal Windsor horse show.

Mr. Hanley: The decision that the King's Troop Royal Horse Artillery should not participate in this year's royal Windsor horse show was taken by the show's committee.

Botswana

Sir Nicholas Bonsor: To ask the Secretary of State for Defence if he will make a statement on participation in, and costs of recent Army exercises in Botswana.

Mr. Hanley: The Army currently holds annual company level exercises in Botswana. The most recent of these took place in January/February 1994 and involved 1 Glosters. The next exercise is planned for November/December 1994 and will involve 3 Para. The cost of the last exercise was £66,000. This comprised vehicle hire of £24,000, container movement of £38,000 and additional in-theatre costs of £4,000.

Aircraft of the RAF's air transport force were used to deploy and recover the personnel and equipment involved in this exercise, within the annual flying programme for the force. Therefore, only incidental additional expenses were incurred on this aspect of the training.

Arms Imports

Mr. Llew Smith: To ask the Secretary of State for Defence how many *(a)* combat aircraft, *(b)* attack helicopters, *(c)* warships or other military vessels, *(d)* large calibre artillery launcher systems, *(e)* tanks, *(f)* armour-protected vehicles and *(g)* missiles and associated launch vehicles were imported into the United Kingdom in 1993 (i) permanently and (ii) temporarily.

Mr. Aitken: Imports and exports in 1993 of those equipments were reported in the United Kingdom's latest return to the United Nations Register of Conventional Arms; a copy of our return was placed in the Library of the House earlier this month.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Defence what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Aitken: There are at present 38 claims outstanding against the Department as a result of work-related upper limb disorders.

Dartmouth Naval College

Mr. Churchill: To ask the Secretary of State for Defence what courses other than initial officer training are offered at Britannia royal naval college Dartmouth; for how many personnel; and at what cost.

Mr. Hanley: During 1993-94 the following training courses, other than initial office training, were offered at Britannia royal naval college:

	Student numbers	*Annual costs (£K)*
Naval studies non-grad academic	59	11·5
International sub Lt course	30	3·8
Special duties list officers	30	6·8
Graduates technical course	37	2·6
University bursars acquaint	26	1·1
Strategic studies	11	0·8
University RN unit courses	45	0·4
CCF officers	33	0·4
Combined Cadet Forces Sea Cadet Corps	165	0·4
Short intro (SIC2)	0	0·8
Short intro (SIC4)	44	1·8
Undergraduates technical course	8	1·8

Mr. Churchill: To ask the Secretary of State for Defence how many students from foreign and Commonwealth countries attend Britannia royal naval college, Dartmouth; and what is the annual fee income therefrom.

Mr. Hanley: In the financial year 1992-93, the most recent year for which complete figures are currently available, 143 places at Britannia royal naval college, Dartmouth were taken up by students from foreign and Commonwealth countries, generating an income of £562,000.

International Military Services Ltd.

Mr. Cousins: To ask the Secretary of State for Defence whether the assets of International Military Services Ltd. have now been disposed of.

Mr. Aitken: International Military Services Ltd. ceased trading on 31 July 1991. Most assets and good will have been disposed of, but the company will not be wound up until its residual obligations have been met.

Civil Servants

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Defence what economies in open structure grade civil servants employed within his Department are now being sought.

Mr. Aitken: Current plans involve a reduction in excess of 20 per cent. at grades 1 to 3 between 1 April 1990 and 1 April 1995. This does not take account of the outcome of the defence costs studies, which may result in further reductions.

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Defence how many of the London-based open structure grade civil servants employed in his Department have been made redundant since the 1990 prospect study; and what savings resulted.

Mr. Aitken: My Department's policy is to minimise, through pre-redundancy measures, compulsory redundancies in civilian staff at all levels. As a result, there have been no compulsory redundancies in members of the open structure in London or elsewhere, but some 200 members of the open structure have left under early retirement schemes.

Aircraft

Mr. Barry Jones: To ask the Secretary of State for Defence what discussions he has had, and what representations he has received, concerning the future large aircraft; and if he will make a statement.

Mr. Aitken: In recent weeks, a number of representations have been received from hon. Members about the future large aircraft. The subject has also been discussed in some detail with a team from British Aerospace, when it gave us a presentation on the subject this week.

Mr. Barry Jones: To ask the Secretary of State for Defence when he proposes to replace the Hercules aircraft; and if he will make a statement.

Mr. Aitken: We plan to replace or refurbish about half of the Hercules fleet on a rolling basis by the end of the century. We do not envisage taking a decision on the balance of the Hercules fleet, which will be considered alongside the possible replacement of other RAF transport aircraft, for a number of years.

Low Flying

Dr. Marek: To ask the Secretary of State for Defence, pursuant to his answer of 16 May, *Official Report*, column *305*, since what date it has been his policy not to publish detailed information on activity in low flying areas.

Mr. Hanley: It has been our policy not to publish detailed information on activity in low flying areas since the introduction of the present United Kingdom low flying system in 1979.

Royal Arsenal, Woolwich

Mr. Austin-Walker: To ask the Secretary of State for Defence on whose authority Mallet's mortar was removed from the MOD Royal Arsenal site in Woolwich; what consultations took place; what representations he has received; and if he will make a statement.

Mr. Aitken: Since the 1980s, the Royal Arsenal has had an agreement with the Royal Armouries for the loan of Mallet's mortar and other artefacts. This agreement was revised in 1991 when the Royal Arsenal undertook to pay the maintenance costs of the Royal Armouries. It also stated that when the Royal Arsenal no longer required Mallet's mortar it was to be returned to the Royal Armouries. That has now been done and the mortar is at Fort Nelson, Portsmouth. I am not aware of any consultations, and have not received any representations.

D-day

Ms Mowlam: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Normanton (Mr. O'Brien) of 10 May, *Official Report*, column *127*, what representatives of Opposition parties have been invited to the events his Department is organising to commemorate the 50th anniversary of the D-day landings.

Mr. Hanley *[pursuant to his reply, 23 May, Official Report, c. 70]:* The following representatives of Opposition parties have been invited:

House of Commons

The Rt. Hon. Mrs. Margaret Beckett
The Rt. Hon. James Molyneux
The Rt. Hon. Stanley Orme
Mr. John Home Robertson
Mr. Frank Cook
Mr. Eddie Loyden
Mr. Don Dixon
Mr. Archie Kirkwood
Rev. Martin Smyth
The Rt. Hon. Paddy Ashdown
Mr. John Denham
Mr. Bruce George
Mr. John McWilliam
Mr. Menzies Campbell CBE QC
Mr. Andrew Mackinlay
The Rt. Hon. Sir David Steel KBE
Mr. William Ross
Mr. Ken Maginnis

House of Lords

Lord Hill Norton
Lord Carver
Lord Callaghan
Lord Bramall
Lord Bonham-Carter
Lord Mayhew
Lord Gregson
Lord Scarman
Lord Shaughnessy
Lord Williams of Elvel
Lord Ennals

Air-to-air Missile Programme

Mrs. Angela Knight: To ask the Secretary of State for Defence if he will make a statement on the current status of the Royal Air Force's advanced short range air-to-air missile programme.

Mr. Aitken: I am pleased to report that the contract for development and production of an initial batch of advanced short-range air-to-air missiles awarded to British Aerospace in March 1992 is proceeding well. Progress to date has been satisfactory; British Aerospace have met all major milestones and the programme remains on schedule to meet the in-service date of December 1998.

I am also pleased to announce that, following a recent review of the operational requirements of the RAF's Harrier and new European fighter aircraft, the contract for the follow-on order of a further quantity of missiles, announced in the statement on the defence estimates 1994, has been awarded to British Aerospace.

This represents an important endorsement of the programme by the Government, is an excellent fillip for British Aerospace in its continuing efforts to promote the exportability of the missile and, with the order valued at some £66 million, is, in itself, excellent news for British industry.

Hawk Jets, Indonesia

Mr. Dunnachie: To ask the Secretary of State for Defence what action Her Majesty's Government will take if the Hawk jets that Britain has exported to Indonesia are proved to have been used to commit human rights violations; and if he will make a statement.

Mr. Goodlad: I have been asked to reply.

We have no evidence that any of the Hawk aircraft supplied to Indonesia have been used to commit human rights violations. If the hon. Member has evidence, we are prepared to examine it.

Written Answers to Questions

Thursday 26 May 1994

FOREIGN AND COMMONWEALTH AFFAIRS

Maastricht Treaty

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the procedures for informing industry, commerce and the public about the effect of the provisions of the treaty of Maastricht.

Mr. Heathcoat-Amory: I am satisfied that an appropriate effort has been made to explain the effects of the Maastricht treaty. We have issued a number of publications. Recent Foreign and Commonwealth Office publications include "Europe After Maastricht", "Britain in Europe", and "The European Elections—Why They Matter to You". The Department of Trade and Industry recently issued "The Single Market—Making It Work For You". This includes advice to business on the European Community's legislative process.

Gibraltar

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance his Department is offering to the people of Gibraltar following cuts in Government spending; and if he will make a statement.

Mr. Heathcoat-Amory: We have established the joint economic forum to bring those concerned together to help overcome Gibraltar's economic difficulties. The forum includes United Kingdom Government Departments, the Government of Gibraltar, trade unions and representatives of local business. We have negotiated substantial European Union funds for Gibraltar. The Ministry of Defence is offering training, and will continue to purchase local goods and services.

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Bolton, South-East (Mr. Young) of 10 May, *Official Report,* column *83,* what arrangements have been made to enable Gibraltarians resident in *(a)* the United Kingdom and *(b)* other EU countries to vote in the European elections.

Mr. Heathcoat-Amory: Gibraltarians resident in the United Kingdom are entitled to vote in European elections. Gibraltarians resident in other member states of the European Union are entitled as citizens of the European Union to vote in European parliamentary elections on the same terms as nationals of that member state under article 8b2 of the treaty on European Union.

Wilton Park Executive Agency

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs how the Wilton Park executive agency performed against the targets which were agreed for 1992-93; and if targets have yet been agreed for the current year.

Mr. Lennox-Boyd: According to provisional figures, which are subject to full audit, Wilton Park exceeded two of the four targets set for the 1993-94 financial year, for the number of conference participants and the cost per head to the FCO. It failed to achieve those for cost recovery and commercial income by margins of 0·1 per cent. and 0·6 per cent. respectively. Commercial income was again affected by adverse trading conditions.

The Wilton Park departmental board met on 19 April. We have agreed to the recommendation of the board that the following key targets be adopted for this financial year:

to increase overall income from £953,000 in 1993-94 to £1,039,000;

to increase cost recovery from 71·9 per cent. in 1993-94 to 72·8 per cent.;

to increase the overall number of Wilton Park conference participants from 1,077 in 1993-94 to 1,260;

to reduce the average cost to the FCO of each participant from £345 in 1993-94 to £307.

It has also been agreed that for 1994-95 Wilton Park will aim to recover 80 per cent. of the costs of its commercial activities and 64 per cent. of the cost of Wilton Park conferences.

Arms Sales (Middle East)

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government on the sale of arms to Israel and Syria.

Mr. Hurd: I have decided that, in the light of favourable developments in the middle east peace process, in particular the Israeli withdrawal from Gaza and Jericho, the United Kingdom's arms embargo against Israel should be lifted. This will bring the United Kingdom into line with our European Union partners.

Forthwith, all applications for the sale of arms to Israel will be considered cases by case in the light of the international guidelines to which we are committed. Those include whether a proposed transfer would be likely to increase tension in the region or contribute to regional instability.

The Israeli Government have made it clear that they have no territorial claim on Lebanon. We hope to see progress on the Syrian track in line with that seen on the Palestinian track. In that context, we will be ready to raise with our European partners the lifting of the European Union arms embargo against Syria.

DUCHY OF LANCASTER

Citizens Charter

Mr. Steinberg: To ask the Chancellor of the Duchy of Lancaster what plans he has to include in the citizens charter specific charter provisions for disabled people.

Mr. David Davis: The citizens charter applies to all users of public services. One of the six key principles of the charter is that service providers should inform their customers of the standards of service that they can expect. It is for individual organisations to decide on the specific commitments that they are able to meet in order to improve the quality of their services to disabled people.

There are currently 39 charters, of which 35 make particular reference to people with disabilities.

Parliamentary Counsel

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster what consideration he has given to the role of civil servants in the Office of Parliamentary Counsel in preparing amendments and new clauses for private Members' Bills.

Mr. Waldegrave: The civil servants in the Office of the Parliamentary Counsel are accountable to ministers in the same way as other civil servants. Their work in preparing amendments and new clauses for private Members' Bills is, like their other work, undertaken on the authority of Ministers.

Consultants

Ms Primarolo: To ask the Chancellor of the Duchy of Lancaster what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. David Davis: The expenditure in 1992-93 on management and financial consultants by the Chancellor of the Duchy of Lancaster's Departments was:

	£
Office of Public Service and Science and its Agencies[1]	949,031
COI	136,460
HMSO[2]	410,075

[1] This figure does not include CCTA contracts let on behalf of other government departments.

[2] HMSO records do not distinguish between types of consultancy. The figure provided represents expenditure on consultancy during the HMSO financial year January to December 1992.

Civil Estate

Mr. Robathan: To ask the Chancellor of the Duchy of Lancaster what arrangements have been made to publish the efficiency unit's scrutiny report on the management of the Government's civil estate.

Mr. Waldegrave: I am pleased to publish today the Scrutiny report on the management of the Government's civil estate.

The Prime Minister has welcomed the findings. He commissioned the scrutiny in July 1993 to consider how far responsibility for civil estate properties could be passed to Departments and agencies and to identify central systems which should be retained or established. The Government will now proceed to implement the report's broad findings. The report's main recommendations are:

that Departments should take responsibility as principals for the property they occupy;

that property holdings should be reconstituted as an executive agency; to co-ordinate the Government's market activity on the civil estate and to promote rationalisation of the estate; to provide Departments with a body of off-the-shelf advice and support; and to provide intelligent customer support to those Departments who do not have in-house facilities. (The Government will consider further which Department is to sponsor the new agency.)

The scrutiny team was also asked to look specifically at the management of historic buildings on the civil estate and extended its review to include historic building issues on the defence estate. The team concluded that the arrangements introduced in 1992 for regular audit and monitoring of the condition of the historic estate had started well and should be given further time to work. New guidance should be provided to Departments on procedures for the disposal of surplus historic property. This would ensure that the special considerations which may arise in connection with heritage disposals are taken fully into account in applying normal disposal rules.

Copies of the efficiency unit scrutiny have been placed in the Library of the House.

Public Bodies

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster if he will list the non-departmental bodies in England the conduct of which can be referred to the Parliamentary Commissioner for Administration.

Mr. Waldegrave: The following non-departmental public bodies fall within the jurisdiction of the PCA. Those NDPBs with a remit specific to Wales or Scotland only have been omitted from the list.

Advisory, Conciliation and Arbitration Service (ACAS)
Agricultural Wages Committees
Arts Council of Great Britain

British Council
British Film Institute
British Library

Corporation of Trinity House of Deptford Strond (only in respect of functions as a general lighthouse authority)
Countryside Commission
Crafts Council

Data Protection Registrar

UK Ecolabelling Board
Education Assets Board
Central Bureau for Educational Visits and Exchanges
English Heritage (Historic Buildings and Monuments Commission for England)
English Nature (Nature Conservancy Council for England)
English Tourist Board
Equal Opportunities Commission

Health and Safety Commission
Health and Safety Executive
Horserace Betting Levy Board
The Housing Corporation
Human Fertilisation and Embryology Authority

Legal Aid Board
Local Government Commission for England

Medical Practices Committee
Museums and Galleries Commission

National Heritage Memorial Fund
National Rivers Authority (except for flood defence functions)
Commission for the New Towns (except for housing functions)
Development Corporations for the New Towns (except for housing functions)

Commission for Protection against Unlawful Industrial Action
Registrar of Public Lending Right

Commission for Racial Equality
Research Councils:
Economic and Social
Medical

Natural Environment

Residuary Bodies
Office of the Commissioner for the Rights of Trade Union Members
Rural Development Commission

Central Council for Education and Training in Social Work
Sports Council

Traffic Director for London
Industry Training Boards:
Agricultural Training Board
Construction Industry Training Board
Engineering Construction Industry Training Board

Urban Development Corporations (except for town and country planning functions).
Urban Regeneration Agency (except for town and country planning functions)

Parliamentary Counsel

Ms Lynne: To ask the Chancellor of the Duchy of Lancaster on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

Mr. Waldegrave: Parliamentary Counsel draft not on behalf of private Members but on the instructions of Departments acting on the authority of Ministers. No amendments were drafted since April 1992 by parliamentary counsel on instructions from my Department. However, some of the amendments tabled during the Committee and Report stages of the Right to Know Bill were prepared by my officials with advice from Parliamentary Counsel.

NATIONAL HERITAGE

Licence Fees

Mrs. Dunwoody: To ask the Secretary of State for National Heritage when he will have consultations within the European Community concerning the proposed directive on licence fees for television and radio.

Mr. Brooke: I have no knowledge of any proposed directive on this matter.

Football Stadiums

Mr. Anthony Coombs: To ask the Secretary of State for National Heritage if he will grant time extensions to any of the premier league and first division football clubs in respect of the Government's 1 August all-seater deadline.

Mr. Brooke: The Government's policy has been that premier league and first division football clubs should eliminate standing accommodation from their grounds by 1 August 1994. The policy was first announced in January 1990, when the Government accepted the recommendations in Lord Justice Taylor's final report. This policy was reaffirmed in the Government's response to the Home Affairs Committee report on policing football hooliganism in May 1991 and again in July 1992, following a review of the policy by the former Secretary of State. In recognition of the costs involved, the Government reduced pool betting duty in the 1990 budget, making available to clubs some £20 million each year since then via the Football Trust, on the understanding that these funds will be used for major projects associated with Taylor implementation.

I am pleased to report that the majority of clubs in the top two divisions will meet or are planning to meet the deadline. I congratulate those clubs on the great strides they have made in improving the safety and comfort of spectators at their grounds. I have, however, indicated that I will consider extensions to the deadline in exceptional cases.

The all-seater policy will be enforced by means of the licensing system operated by the Football Licensing Authority under the Football Spectators Act 1989. Under section 11(1) and (2) of the 1989 Act I am empowered to make an order directing the FLA to include certain specified conditions about seating in the licences that it issues to clubs. Before making such an order, I am required to consult the FLA, which in turn is required to consult local authorities before making recommendations to me. The FLA consulted local authorities and clubs on 17 December 1993, asking for comments by 28 February. It submitted its main recommendations in mid-April together with copies of the representations made by local authorities and clubs. It submitted further representations in relation to two late applications at the end of April.

Of the 12 clubs that have formally applied for an extension, one—Oxford United—has been relegated to division 2, which is not subject to the 1994 deadline. I have considered the case made by the remaining 11 clubs, taking into account the recommendations made by the Football Licensing Authority.

On the basis of the information I have before me, I have today written to the chairmen of both clubs to inform them of my preliminary view in each case, and offering them the opportunity to submit further representations.

I have written to the chairmen of the following clubs, all of which are actively engaged in relocation to new stadiums, indicating that I am minded to agree that they have a valid case for an extension to the 1 August deadline:

Derby County
Grimsby Town
Middlesbrough
Portsmouth
Sunderland

I have warned, however, that although I am considering whether to grant an extension, my general policy remains, and I have in mind that any extension should be for a limited period only.

I have also explained that any decision to allow the retention of standing accommodation for a limited period will not affect safety requirements at the ground. Clubs will still be required to observe the terms and conditions of the local authority safety certificate issued under the Safety of Sports Grounds Act 1975, and any requirement placed on the club as a result of the FLA exercising its powers under section 13 of the 1989 Act. The responsibility of each club to ensure that the ground meets the necessary safety requirements remains unchanged, irrespective of whether or not an extension is granted.

I have also written to the chairmen of the following clubs indicating that, while I appreciate the very real difficulties faced, I do not consider that the case presented to date is sufficiently strong to warrant an extension of the deadline beyond 1 August 1994:

Barnsley
Chelsea
Manchester City
Newcastle United
Oldham Athletic
Swindon Town

In arriving at my preliminary view, I have applied the criterion adopted by the Football Licensing Authority, which were set out in the FLA's letters of 13 November 1992 and 17 December 1993 as follows:

> Clubs seeking an extension in order to relocate to a new ground are expected to produce clear evidence that such an extension would be for a strictly limited period and that the club could realistically complete its relocation within a reasonable and definite timescale.
>
> Clubs applying for an extension in order to redevelop their existing grounds are expected to show why their circumstances are wholly exceptional, why the reasons for the delay could not reasonably have been foreseen, and why they could not be attributed to the actions or inaction of the club.

I must stress that I have not yet made my final decision, and before I do so I think it only right that the clubs affected should have the opportunity to comment and to make further representations to me if they feel that this would be appropriate.

In reaching my final decision I will consider each case on its individual merits in the light of the above criteria, having regard to all material facts and to the need to be consistent where circumstances are similar and fair to all clubs in the premier league and football league, first division. I will also take into account any other relevant points which the clubs wish to make in response to my letters.

I am acutely aware that it is important that clubs have as much time as possible to prepare for the 1994-95 football season. I therefore propose to end any uncertainty about the outcome of my deliberations within a matter of weeks rather than months. Clubs have been asked for any comments they may have on the contents of my letters, or for any further representations they may wish me to take into consideration, by Thursday 16 June at the very latest. My final decision will follow as soon as possible thereafter.

HOUSE OF COMMONS

Child Care

Mr. Mudie: To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, pursuant to the answer from the Chairman of the Administration Committee on 17 May, *Official Report*, column *416*, when the Commission will publish the details of the survey into child care in the parliamentary estate.

Mr. Beith: This matter is still under consideration by the Commission.

Intelligence Services

Mr. Winnick: To ask the Lord President of the Council if he will establish the parliamentary oversight committee of the intelligence services before the summer recess.

Mr. Newton: The intelligence services legislation provides for members of the Intelligence and Security Committee to be appointed by the Prime Minister after consultation with the Leader of the Opposition. Since commencement of the Act is still some months away, I would not expect the Committee to be appointed yet.

Parliamentary Counsel

Mr. Spring: To ask the Lord President of the Council, pursuant to his oral answer to the hon. Member for Newcastle upon Tyne, East (Mr. Brown) of 19 May, *Official Report*, column 959, if he will publish the full text of the letter on the drafting of amendments from the head of the civil service to the hon. Member for Oldham, West (Mr. Meacher) to which he referred.

Mr. Newton: I have arranged for copies of the correspondence to be placed in the Library.

Mr. Campbell-Savours: To ask the Lord President of the Council on which private Members' Bills, introduced into either House of Parliament since April 1992, Parliamentary Counsel has been involved in drafting amendments which have subsequently been tabled in the names of Members of either House, other than Ministers.

Mr. Newton: Parliamentary Counsel drafts amendments on the instructions of Departments acting on the authority of Ministers. How many of these were subsequently tabled by Members of either House is not centrally recorded.

DEFENCE

Dartmouth Naval College

Mr. Churchill: To ask the Secretary of State for Defence what is the annual intake at, and graduation from, Britannia Royal Naval College Dartmouth; what are the annual running costs; how many *(a)* service and *(b)* civilian personnel are employed there, and in what professional and other groups.

Mr. Hanley: During the last training year, the intake at Britannia Royal Naval College was 861. This number includes 433 students who attended courses, including the officer new entry course, from which 401 graduated; the remaining 428 students attended courses from which there is no formal graduation.

The annual running costs excluding sea training for Britannia Royal Naval College for the last three financial years are as follows:

	£
FY 1991-92	15,800,000
FY 1992-93	18,500,000
FY 1993-94	[1]18,900,000

[1] Estimate.

The total number of Service personnel employed at the college is 129, and is broken down as follows:

	Number
Officers	50
Warrant Officers	3
Senior Ratings	[1]36
Junior Ratings	40

[1] Includes 4 RM.

The total number of civilian staff employed at the college is 169·5 and is broken down as follows:

	Number
Defence Administration Group	29·0
Defence Engineering and Science Group	45·5
Other	14·0
Industrial	81·0

Nuclear Test Veterans

Mr. Llew Smith: To ask the Secretary of State for Defence how many of the known atomic test veterans listed on departmental files were contacted as part of the study on mortality and comparative health of atomic test veterans conducted for his Department by the National Radiological Protection Board, published last December; and what criteria were adopted in choosing those former service men to contact as part of the study.

Mr. Hanley: The independent study conducted by the National Radiological Protection Board was a statistical analysis of the health and service records of more than 21,000 test participants. The NRPB acquired information from a variety of independent and official sources including the British Atomic Veterans Association, the British Nuclear Test Veterans Association, the Royal British Legion, the Department of Social Security, besides NRPB and MOD records. Thus there was not a requirement to contact test participants directly.

Mr. Llew Smith: To ask the Secretary of State for Defence when he replied to Mr. Denzil Hancock of Abertillery, Gwent, in regard to his letter on the National Radiological Protection Board study of atomic test veterans.

Mr. Hanley: My officials have no record of receiving the letter referred to.

Nuclear Non-proliferation

Mr. Llew Smith: To ask the Secretary of State for Defence if he will make it his policy to examine the proposals set out in the recent report by the Campaign for Nuclear Disarmament on a blueprint for a nuclear weapon-free world and the 1995 non-proliferation treaty conference, a copy of which has been sent to him.

Mr. Hanley: My Department has no record of having received this document. We have arranged for a copy to be provided to us, however, and we will examine its proposals carefully.

Matra Marconi Space

Ms Corston: To ask the Secretary of State for Defence what representations he has made concerning the sale by British Aerospace of its space systems business to Matra Marconi Space; and if he will make a statement.

Mr. Aitken: If such a proposal is announced, my Department will if necessary advise the regulatory authorities in the usual manner on any competition and national security implications. Such advice is, of course, confidential.

Hazardous Waste

Mr. Cohen: To ask the Secretary of State for Defence what discussions his Department has had with the United States authorities regarding the disposal of hazardous wastes shipped to the United Kingdom for disposal from bases of the United States armed forces in Europe.

Mr. Hanley: Officials of my Department have occasionally discussed with the appropriate United States authorities the disposal of hazardous wastes imported into the United Kingdom. The handling of such waste in the United Kingdom is carried out in accordance with national and international regulations governing the movement and destruction of hazardous waste.

RNAD, Beith

Mr. Wilson: To ask the Secretary of State for Defence if he will make a statement on the current workload, numbers employed and future prospects at the Royal Naval armaments depot, Beith.

Mr. Hanley: At present some 500 personnel are employed at RNAD Beith. The depot plays an important and active role in supporting both the Navy and the RAF in the storage and processing of a wide range of armaments. By the end of 1994, the depot will have assumed further non-armament engineering tasks which have been transferred from other MOD establishments. The future of the depot, which is currently subject to a market-testing exercise, is being reviewed, along with other MOD establishments, as part of the defence costs study.

Bosnia

Mr. Worthington: To ask the Secretary of State for Defence when he will decide whether British troops will be deployed in Bosnia this winter; and what are the crucial factors affecting that decision.

Mr. Hanley: The deployment of British forces in Bosnia is kept under constant review. A decision on whether the current deployment will continue through the winter will be taken later this year and will take account of factors such as the situation on the ground, humanitarian needs, UNPROFOR's ability to carry out its mandate without unacceptable risk to the safety of its forces, and progress towards an overall peace agreement.

"Friendly Fire" Incident

Sir Keith Speed: To ask the Secretary of State for Defence what recent communications he has received from the United States Government about the shooting down of two United Nations helicopters by aircraft of the United States air force.

Mr. Hanley: The two United States helicopters shot down in northern Iraq on 14 April are the subject of a United States investigation. The United Kingdom has two representatives on the inquiry and they are taking a full part in the proceedings. We have been kept regularly informed of the progress of the investigation and will make the results available as soon as possible.

Defence Contractors

Mr. Morgan: To ask the Secretary of State for Defence, pursuant to the letter of the Minister of State for Defence Procurement to the hon. Member for Cardiff, West of 16 May, if he will list the 40 contracts held by Airwork Ltd. for the Ministry of Defence; and if he will list those which are in the majority that have been rated as satisfactory.

Mr. Aitken: Airwork Ltd. is contracted by my Department to carry out a wide variety of support activities, including:

Provision of Simulator Instructor and maintenance of simulator and supply of spares
Provision of aircraft Maintenance Services
Post Design Work
Maintenance of Communications Equipment at various locations
Provision of Helicopter Support and On Call Maintenance
Servicing of maintenance of Range Safety Radars and Ground Radio
Provision of Flying Instruction
Servicing of Aircraft
Repair and Reconditioning of Spares

As stated in my letter dated 16 May 1994 to the hon. Member for Cardiff, West, in general these contracts are being performed satisfactorily.

Mr. Morgan: To ask the Secretary of State for Defence, pursuant to the letter from the Minister of State for Defence Procurement to the hon. Member for Cardiff, West, dated 16 May, if he will list the names of all the contractors placed on the Ministry of Defence list of contractors requiring special attention; on what date they were placed on that list; and if he will make a statement.

Mr. Aitken: The list is maintained for internal use only, as part of my Department's risk management technique. It is treated as "commercial in confidence" and therefore I am not prepared to identify the contractors currently on it.

Mr. Morgan: To ask the Secretary of State for Defence, pursuant to the letter of the Minister of State for Defence Procurement to the hon. Member for Cardiff, West, dated 16 May, on what date Airwork Ltd. was placed on the Ministry of Defence list of contractors requiring special attention.

Mr. Aitken: On 21 May 1993.

Royal Navy Exercises

Mr. Sykes: To ask the Secretary of State for Defence if he will now give further details regarding the introduction of a system for broadcasting details of firing intentions in local sea areas; and if he will make a statement.

Mr. Hanley: I am pleased to announce, as foreshadowed in my answer to the hon. Member for Western Isles (Mr. Macdonald) on 3 March, *Official Report,* columns *871-72* that from Wednesday 1 June 1994 the Royal Navy is to introduce a new information service for advising fishermen and other mariners of gun and missile firings in designated exercise areas around the United Kingdom. The time and approximate geographic locations of all planned live firings—other than with small arms—and underwater explosions will be broadcast twice a day by the Royal Navy: where appropriate this will also include the times of firing flares, other illuminants, and naval gunfire support firings using sea ranges and inert ammunition. This new broadcasting of information is to be known colloquially as GUNFACTS.

A broadcast scheme for transmitting information of this nature has been operating in the heavily used Portland exercise area for almost two years, and has proved successful in ensuring that civil craft using these waters are aware of Royal Navy firing activity. The aim now is to extend the arrangements operating in the Portland areas to cover all exercise areas around the United Kingdom in which gunnery and missile firings and underwater explosions take place.

The introduction of the United Kingdom-wide broadcasting arrangements for GUNFACTS does not reflect any shortcomings in the Royal Navy's existing range safety procedures, which are already rigorous and comprehensive: the intention is, rather, to complement the existing measures. As such, the introduction of this scheme represents a further step forward in maritime safety and underlines our continuing commitment to ensure safe operations by the Royal Navy at sea.

Mrs. Lait: To ask the Secretary of State for Defence, when the first test firing of a United Kingdom Trident II D5 missile is expected to take place; and if he will make a statement.

Mr. Aitken: HMS Vanguard is scheduled today to launch an unarmed Trident II D5 ballistic missile off the coast of Florida as part of her demonstration and shakedown operation. I shall inform the House of the outcome of the firing in due course.

Adventurous Training Facilities

Sir Nicholas Bonsor: To ask the Secretary of State for Defence if he will set out the single service and joint service adventurous training facilities maintained by funds from his Department, showing the costs, staffing and principal equipment of each.

Mr. Hanley: Adventurous training is, and will continue to be, an essential part of armed forces training, developing the qualities of fitness, courage, initiative, powers of endurance, leadership and interdependence which are essential to each service. The information requested, with costs for financial year 1993-94, will be placed in the Library.

WALES

Interreg

Mr. Alan Williams: To ask the Secretary of State for Wales when he met representatives of West Glamorgan to discuss its inclusion in Interreg; when he met his Irish counterpart to discuss adding south-east Eire and south-west Wales to the United Kingdom submission; when subsequently he made written representations on behalf of West Glamorgan and to whom; and what was the reason for the time lag between his meeting with the Irish Minister and his written submission.

Mr. Redwood: I will write to the right hon. Member and place a copy of my letter in the Library.

Agricultural Development and Advisory Service

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make a statement regarding the future of ADAS in Wales; and if he will make a statement.

Mr. Redwood: My right hon. Friend the Minister of Agriculture announced the 1994-95 cost recovery targets and the associated restructuring of ADAS in reply to a question from the hon. Member for Birmingham, Hall Green (Mr. Hargreaves) on 25 February 1994, *Official Report*, columns *492-93*. The agency's activities in Wales are being carried forward and its organisation adjusted in line with that. Detailed operational matters are the responsibility of the chief executive.

My right hon. Friend and I also announced on 22 September 1993 that a study of the future corporate status of ADAS is being undertaken. A further announcement will be made as soon as possible.

Agriculture One-stop Shops

Mr. Alex Carlile: To ask the Secretary of State for Wales what plans he has to introduce agriculture one-stop shops in Wales; and if he will make a statement.

Mr. Redwood: In my speech at the annual general meeting of the Farmers Union of Wales on 11 May, I announced plans to provide the opportunity for all farmers in Wales to receive free agri-environmental advice through a streamlined system, which will be both simple and effective. Farmers will gain access to advice through a single clearing-house which will direct both telephone and written inquiries to an adviser who will be the single point of contact for the farmer. The adviser will provide the farmer with impartial sound advice on all the environmental aspects of farming and the support schemes available. Further details will be announced soon.

Local Government (Wales) Bill (Amendments)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his oral statement of 15 March, *Official Report*, column 758, on what date he requested parliamentary draftsmen to prepare the amendments for clause 44 of the Local Government (Wales) Bill *[Lords]*.

Mr. Redwood: It is not the practice to provide details of internal decisions of this kind.

ENVIRONMENT

Water Pollution

Mr. Nigel Jones: To ask the Secretary of State for the Environment how many representations he has received regarding pollution of water supplies resulting in inconvenience to consumers for each year since 1986.

Mr. Atkins: This information is not readily available and can only be obtained at disproportionate cost.

Mr. Nigel Jones: To ask the Secretary of State for the Environment (1) how many areas have been designated as areas of protection under the Water Resources Act 1991; and if he will make a statement;

(2) what plans he has for changes to legislation to deter polluters of water supplies; and if he will make a statement.

Mr. Atkins: It is for the National Rivers Authority to apply for the making of an order under section 93 of the Water Resources Act 1991 for the designation of a water protection zone. My right hon. Friend the Secretary of State for Wales and I are currently considering the first such application by the NRA, in respect of the River Dee.

Regardless of any specific protective measures. it is in general an offence, punishable by an unlimited fine or a prison sentence or both, to pollute watercourses or water supplies.

Local Government Finance

Mr. Spellar: To ask the Secretary of State for the Environment what is the current level of debt for each local authority in the west midlands county.

Mr. Curry: At 31 March 1993, the total outstanding debt for each local authority in the area of the former west midlands county council was as follows:

	£ million
Birmingham	1,233
Coventry	385
Dudley	277
Sandwell	284
Solihull	71
Walsall	301
Wolverhampton	309

Mr. Straw: To ask the Secretary of State for the Environment if he will list the topics to be included in the 1994 review of standard spending assessment; and what resources his Department will be devoting to the 1994 review of standard spending assessments, in terms of *(a)* the number of full-time equivalent posts and the estimated staff costs and *(b)* the cost of externally commissioned research.

Mr. Curry: A wide-ranging review of standard spending assessments was carried out in 1993. The Government do not propose to carry out a similar review this year. Their policy on further changes in SSAs was set out in its response to the first report from the Select Committee on the Environment, Cm 2494, and in paragraphs 32 and 33 in particular. Possible topics relating to SSAs which may be discussed with the local authority associations this year were set out in a paper for the SSA sub-group. A copy has been placed in the Library.

The division primarily concerned with SSAs has a complement of 12·8 full-time equivalent posts, the cost of which is some £420,000 per year. The Department expects to commission external research relating to SSAs, the cost of which will be met from the budget for local government research as a whole of £534,000 in 1994-95. Actual expenditure in 1994-95 will depend on the prices offered by contractors and the timing of the work but is not expected to exceed £50,000.

Flood Prevention

Mr. Worthington: To ask the Secretary of State for the Environment to what extent local authorities that are allocated money for flood prevention by his Department are able to vire the money to other purposes.

Mr. Curry: My Department does not allocate money to local authorities specifically for flood prevention. However the standard spending assessment methodology used to distribute revenue support grant includes an element for flood defence which is based on the previous year's expenditure. Since RSG in unhypothecated, where this element exceeds the amount levied by the National Rivers

Authority for flood defence in any year, authorities themselves decide how best to use any additional resources in the light of local needs and priorities. This principle applies equally to all services included in the SSA system.

Tenants' Ombudsman

Dr. Wright: To ask the Secretary of State for the Environment how many complaints have been received by the housing association tenants' ombudsmen in England and Scotland from the date that the respective services became operational in December 1993.

Sir George Young: The housing association tenants' ombudsman service, which covers the activities of registered housing associations in England, has received 412 complaints in its first six months of operation—from November 1993 to April 1994. In the case of Scotland, for which the arrangements are the responsibility of my right hon. Friend the Secretary of State for Scotland, I am advised that in its first full month of operation—April 1994—the service there received 12 complaints.

Dr. Wright: To ask the Secretary of State for the Environment how the services of the housing association tenants' ombudsmen are advertised to housing association tenants.

Sir George Young: The Housing Corporation has distributed posters and leaflets about the housing association tenants ombudsman service to all registered housing associations in England, as well as to citizens' advice bureaux, local libraries, law centres and housing advice centres.

Council Houses, Harrogate

Mr. Robert Banks: To ask the Secretary of State for the Environment what is the total number of council houses owned by Harrogate borough council.

Sir George Young: Harrogate borough council reported a total of 5,234 council dwellings in its April 1993 housing investment programme return, a copy of which is in the Library.

Energy Saving

Mr. Robert Ainsworth: To ask the Secretary of State for the Environment if he will make a statement on progress towards meeting the United Nations conference on environment and development at Rio de Janerio obligations in so far as they concern energy saving in the domestic market.

Mr. Atkins: The framework convention on climate change, which was signed by 153 countries at the Rio Earth summit in June 1992 and came into force in March this year commits developed countries to take measures aimed at returning emissions of greenhouse gases to 1990 levels by 2000. The United Kingdom climate change United Kingdom programme, which was published in January, sets out in full the measures aimed at meeting the convention commitment. These include measures affecting the domestic energy sector, which are expected to reduce emissions by 4 million tonnes of carbon—MtC—against projected CO_2 emissions by 2000.

Residential Property, Hull

Mr. McNamara: To ask the Secretary of State for the Environment by what percentage each year the rebuilding costs per square foot have increased between 1964 and 1990 for residential property built before 1920 in Hull.

Sir George Young: Figures for Hull are not available, but there is no reason to suppose that these differ significantly from increases in rebuilding costs for residential property nationally which were as follows:

Year	*Percentage increase*
1964	0
1965	5
1966	7
1967	0
1968	5
1969	6
1970	10
1971	9
1972	25
1973	37
1974	17
1975	6
1976	6
1977	13
1978	13
1979	17
1980	24
1981	0
1982	3
1983	7
1984	4
1985	4
1986	4
1987	9
1988	11
1989	9
1990	1

Private Rented Housing

Mrs. Angela Knight: To ask the Secretary of State for the Environment what has been the change in size of the private rented sector over the period 1981 to 1993.

Sir George Young: The information for England is as follows:

Privately rented dwellings and households 1981 to 1993
England

Year	*Dwellings*		*Households*	
	Number thousands	*Proportion of all dwellings percent*	*Number thousands*	*Proportion of all households percent*
1981	2,050	11·4	1,910	11·0
1982	2,040	11·2	—	—
1983	2,030	11·1	1,880	10·6
1984	2,030	10·9	1,920	10·7
1985	2,000	10·7	1,900	10·6

Year	*Dwellings*		*Households*	
	Number *thousands*	*Proportion of all dwellings* *percent*	*Number* *thousands*	*Proportion of all households* *percent*
1986	1,940	10·3	1,690	9·2
1987	1,880	9·9	1,670	9·1
1988	1,800	9·3	1,700	9·1
1989	1,900	9·3	1,610	8·6
1990	1,910	9·7	1,690	8·9
1991 April	1,920	9·8	1,760	9·3
1991 December	1,970	10·0	—	—
1992	2,030	10·2	1,790	9·2
1993	2,050	10·2	1,950	9·9

Notes:

1. Dwellings figures are at the end of December except for 1981, when they are for April, and 1991 when figures are shown for both April and December.
2. Household figures are estimates from the Labour Force Survey and are subject to sampling error. They are for the period March to May each year.

A statistical paper explaining the derivation of these figures is to be included in the May issue of "Housing Finance". I will place a copy in the Library as soon as it is available.

Habitats Directive

Mrs. Browning: To ask the Secretary of State for the Environment if he will introduce legislation to implement the EC habitats directive; and if he will make a statement.

Mr. Atkins: The Government are firmly committed to the transposition of the directive into United Kingdom law. We expect to lay draft regulations for this purpose before Parliament soon after the Whitsun recess. The regulations will be made under section 2(2) of the European Communities Act 1972 and will require the approval of Parliament before they can come into effect. The directive requires the necessary laws, regulations and administrative provisions to be brought into force within two years of its notification on 5 June 1992. Although this target will not quite be achieved, our first priority must be to ensure that the draft regulations, which are very complex, fulfil the directive's requirements.

The Government issued a public consultation paper in October 1993 indicating what provisions were considered necessary to implement the directive. The responses to this consultation, and that undertaken in March 1993 concerning proposed changes to permitted development rights to comply with the directive, have been considered during the process of framing the draft regulations.

Subject to parliamentary approval, the regulations will establish mechanisms for the designation and protection of sites qualifying under the EC habitats and birds directives. They will also cover species protection aspects of the habitats directive. These measures will provide a self-contained body of legislation to give effect to the directive's requirements and will build on the already comprehensive provisions for habitats and species conservation in existing law and policy.

Calderdale Metropolitan Borough Council

Sir Donald Thompson: To ask the Secretary of State for the Environment if he has yet considered the response by Calderdale metropolitan borough council to the notice served on the authority on 23 December 1993 under section 13 of the Local Government Act 1988; and if he will make a statement.

Mr. Baldry: My right hon. Friend, after carefully considering the response which Calderdale metropolitan borough made to the notice served on the authority, has decided to give the authority a direction under section 14 of the Local Government Act 1988. The effect of the direction is to require the authority to re-tender the ground maintenance work which was the subject of the notice by 1 June 1995. The direction also requires the authority, when re-tendering the work, to draw up a contingency plan to cover the remedying of defects in the contractor's performance and/or procuring the service of another contractor in the event of contractor failure, to which any performance bond requirement would be related. The authority must agree the contingency plan, and the terms of any performance bond requirement, with an independent arbitrator appointed by the Institute of Leisure and Amenity Management.

Farm Shops

Mr. Garnier: To ask the Secretary of State for the Environment what is the Government's planning policy towards applications for farm shops.

Mr. Baldry: Farm shops help meet demand from consumers who want fresh produce at the point of production and can provide new sources of jobs and services in rural area and outlets for producers of regional and speciality foods. Advice on the circumstances in which planning applications are needed for farm shops is provided in planning policy guidance note 7, paragraph B2. When planning applications are needed, local planning authorities should take account of:

(i) the desirability for the farmer to provide a service throughout the year, which may require him to bring in non-local[1] produce to overcome the problems of seasonality and provide continuity of employment and to ensure that a sufficiently wide selection of produce can be offered;

(ii) the potential impact on nearby village shops; and

(iii) the transport effects in terms of the traffic likely to be generated and the highways, access and parking arrangements.

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[1] In this context "non-local" means produce originating from beyond the farm holding and its environs. Local planning

authorities should not discriminate against produce orginating outside the United Kingdom. This applies equally to produce which is packed on the farm but which originates from outside it.

In individual cases where the development of an unrestricted retail use on a farm shop would be likely to result in a significant adverse effect on a nearby village shop, the local authority may wish to consider the scope for using planning conditions to limit the broad types of produce sold in the farm shop so as to enable permission to be given. Guidance on the use of conditions is contained in the DOE circular 1/85.

Travellers

Mr. Madden: To ask the Secretary of State for the Environment on what date in April the Minister for Local Government met in Bradford Mr. Graham Ablewhite, managing director of Sparks confectioners, with head offices in Hockney road, Bradford; what undertakings the Minister gave regarding action concerning the use of unofficial sites by travellers within Bradford metropolitan district; what specific action he has taken in this matter since meeting Mr. Ablewhite; and if he will make a statement.

Mr. Curry *[holding answer 23 May 1994]:* I met Graham Ablewhite during a non-departmental visit to Bradford on 29 April. While there, I promised to seek advice on the background from officials in my Department; I plan to write.

SCOTLAND

Mental Health Services

Ms Rachel Squire: To ask the Secretary of State for Scotland what specific instructions he has provided to the purchasers of mental health services in respect of the seriously mentally ill.

Mr. Stewart: My right hon. Friend has issued no such instructions. The organisation of mental health services is determined by clinical assessment and local need. It is for individual health boards to assess the needs for their population and to purchase mental health services accordingly. In so doing they are expected to have due regard for the Government's community care objectives and what is best for individuals.

Ms Rachel Squire: To ask the Secretary of State for Scotland what specific instructions he has issued, and to whom, on good practice on hospital discharge for mentally disordered people and on continuing care for mentally disordered people.

Mr. Stewart: Three circulars on this matter have been made available. "Discharge of Patients from Mental Illness and Mental Handicap Hospitals", SW10/1988 was sent to directors of social work and copied to general managers of health boards on 1 June 1988, and dealt with the management issues. "Assessment and Care Management", SW11/1991 HHD/DGM, (1191)40 was issued on 17 June 1991, and "Guidance on Care Programmes for People with a Mental Illness including Dementia", SOHHD DGM 1992/9 SW 1992/1 was issued on 7 February 1992. These were sent to general managers of health boards, the Common Services Agency, the state hospital and the Health Education Board for Scotland, and to chief executives of district councils, appropriate professional and voluntary bodies, directors of social work and directors of housing. Local bodies have developed discharge protocols based on this guidance.

Ms Rachel Squire: To ask the Secretary of State for Scotland what plans he has to issue instructions within one year on the minimum acceptable provisions for mental health services by way of *(a)* 24-hour staffed community houses, *(b)* day-staffed residential care, *(c)* day centres and hospital places and *(d)* provision of community-based multi-discipline teams; and if he will bring forward proposals to require the inspection of such establishments every three years.

Mr. Stewart: These are not matters on which central guidance on standards would be practical. The frequency of inspections is a matter for determination in the light of local circumstances but some guidance has been offered on the frequency of inspection which would be appropriate for residential accommodation.

Ms Rachel Squire: To ask the Secretary of State for Scotland if he will make a statement on the use of discharge contracts by health boards in respect of the mentally ill.

Mr. Stewart: Health boards do not use discharge contracts. Patients assessed as requiring continuing specialist medical and nursing care are the responsibility of health boards. Those patients who are discharged and do not require such care have their needs assessed by the local authority taking account of the views of health care professionals. An individual care programme should then be drawn up.

Local Government Reorganisation

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made as to the nature of the staff most likely to be made redundant following local government reorganisation; in which councils; and if he will make a statement.

Mr. Stewart: The Government have estimated that following local government reorganisation, a structure of 32 single-tier authorities will require between 220 and 1,800 fewer staff posts across Scotland. Sensible manpower planning by local authorities in the run-up to reorganisation should ensure that staff numbers are controlled largely by natural wastage and early retirement measures. It will be for the new authorities themselves to determine the number and nature of staff that they require to carry out their functions.

Public Service Vehicles (Missiles)

Mr. David Marshall: To ask the Secretary of State for Scotland how many reported cases of missiles being thrown at public service vehicles there have been in each of the last five years in each police authority area in Scotland.

Lord James Douglas-Hamilton: This information is not available.

NHS Trusts

Mr. Dunnachie: To ask the Secretary of State for Scotland what assessment he has made of how morale in NHS trust hospitals has been affected by changes in the numbers of staff on short-term contracts; and if he will make a statement.

Mr. Stewart: The numbers of staff on short-term contracts is determined by the employing authority, whether NHS trust or health board. Any assessment of a relationship between morale and changes in the numbers of staff on such contracts in an NHS trust hospital is a matter for the trust hospital itself.

The NHS in Scotland management executive is concerned to improve morale in the NHS in Scotland and, following a survey on the impact of the 1991 document "Framework for Action", has asked employing authorities to develop action plans to tackle those issues which are identified as requiring action locally. The outcome of these action plans will be reported to the management executive in February 1995.

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will take steps to ensure that clinical directors in NHS trust hospitals have greater access to finance and information management training to help them participate in contract negotiations; and if he will make a statement.

Mr. Stewart: National training provision is made through short courses available from the management development group at the Scottish health service centre and by the management education for clinicians project which receive funds from the Scottish Council for Postgraduate Medical and Dental Education for this purpose.

A focused mailing to clinical directors in Scotland took place in January 1994 to draw attention to existing courses on NHS information and financial management. Another mailing is planned for summer 1994. MEC has been involved in providing trust-based programmes for clinical directors for eight NHS trusts to date; all those programmes include sessions on finance, contracting and NHS information.

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will take steps to increase the participation of clinical directors in negotiating contracts within NHS trust hospitals; and if he will make a statement.

Mr. Stewart: Health boards and NHS trusts are responsible for deciding the make-up of their contracting negotiating teams. However, guidance issued by the management executive has always sought to encourage and emphasise the role of clinicians and other health professionals in the contracting process.

Ferry Services

Mr. McFall: To ask the Secretary of State for Scotland when the KPMG consultants report on the Scottish ferry services will be published.

Lord James Douglas-Hamilton: I refer the hon. Member to the answer which I gave to the hon. Member for Western Isles (Mr. Macdonald) yesterday, *Official Report*, 25 May 1994, column *208*.

Scottish Prison Service

Mr. Raymond S. Robertson: To ask the Secretary of State for Scotland what targets he has set the Scottish Prison Service agency for 1994-95.

Mr. Lang: I have set the chief executive of the Scottish Prison Service the following targets:

Performance measures	*Key targets*
The number of prisoners unlawfully at large.	No 'A' category prisoners should escape.
	The number of escapes by 'B' category prisoners should not exceed 2·5 per 1,000 prisoners.
The number of significant incidents.	The number of significant incidents should not exceed 11.
The number of serious assaults on staff and prisoners.	The number of serious assaults on staff should not exceed 5 per 1,000 staff.
	The number of serious assaults on other prisoners should not exceed 10 per 1,000 prisoners.
Basic quality of life for prisoners.	By April 1995 60 per cent. of available prisoner places will have access to forms of night sanitation.
The amount of available opportunities for prisoners' self development.	80 per cent. of convicted prisoners should have the opportunity of at least 7 hours per working day of programmed activities.
Time out of cell for unconvicted prisoners.	On average 25 per cent. of unconvicted prisoner hours should be available for out of cell activities.
Average annual cost per prisoner place.	To keep costs within £26,624 per place available for use.

Performance measures	*Key targets*
The level of absence through staff sickness.	To reduce the average number of days lost per person per year through staff sickness to 18.

Hospital Trusts

Mr. Worthington: To ask the Secretary of State for Scotland what guidelines or instructions he has given about the statistics or information that a hospital trust must keep.

Mr. Stewart *[holding answer 20 May 1994]*: Guidance was issued on 27 April on the central requirements for work force information. Trusts are also expected to keep the same information and statistics which hospitals and health boards would have kept when the units were directly managed. In addition trusts are required to provide monthly returns to the management executive on their finances and activity.

SOCIAL SECURITY

Parliamentary Counsel

Ms Lynne: To ask the Secretary of State for Social Security, pursuant to his answer of 13 May, *Official Report*, columns *262-63*, on what occasions since April 1992 Ministers from his Department have authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

Mr. Lilley: On one occasion, 20 April 1994.

Jurors

Mrs. Helen Jackson: To ask the Secretary of State for Social Security when he intends to pay expenses and national insurance contributions for those on jury service who are unemployed on the same basis as for those in employment.

Mr. John M. Taylor: I have been asked to reply. Members of the public performing jury service are subject to the same regulations in respect of allowances for expenses, whether unemployed or in emloyment. These regulations came into operation on 1 January 1979. Additionally, in April 1988 the Department of Social Security introduced a system to ensure that unemployed people on jury service could maintain a full national insurance contribution record in the same way as those in employment.

Industrial Injuries Disablement Benefit

Mr. Hanson: To ask the Secretary of State for Social Security how many individuals in each region have claimed industrial injuries disablement benefit for chronic bronchitis or emphysema under stage one of the approval scheme; and how many claims have been approved.

Mr. Scott: The table shows the number of valid claims received and the number successful as at 6 February 1994. Not all the claims received by 6 February would have been processed by that date.

Area	*Claims received*	*Assessed at 14 per cent. or over disabled*
(South)		
Anglia	9	2
Chilterns	11	0
South East	199	20
West Country	59	1
Wales and Central England		
East Midlands	2,665	175
Greater Manchester	150	19
Lancashire and Cumbria	1,113	64
Merseyside	249	19
Midlands South West	361	30
Wales	5,197	669
West Mercia	1,780	181
Scotland and North		
East Scotland	1,391	46
Glasgow	137	1
North and West Yorkshire	1,317	180
North, Central and West Scotland	1,101	20
South Yorkshire	3,455	347
Tyne Tees	4,023	324
TOTAL	23,217	2,098

Note:

Figures are based on a 100 per cent. count and subject to amendment.

Child Support Agency

Ms Rachel Squire: To ask the Secretary of State for Social Security (1) whether a student who is a parent without custody will have his or her income taken into account if earning money for more than five weeks and if the parent with custody applies for a maintenance assessment;

(2) if he will make a statement about the operation of the Child Support Act 1991 in respect of students who are parents without custody;

(3) whether a parent without custody who is a student will have earnings assessed for maintenance only if the parent with custody applies after the student has worked more than five weeks;

(4) what are the rules governing the treatment of temporary earnings by students who are parents without custody;

(5) whether income earned for more than five weeks by a student, who is a parent without custody, will be averaged and dealt with as the person's average income for the entire year whether or not the earnings continue; and whether that estimated annual income is added to grants or loans received by the student in calculating the amount of maintenance to be paid.

Mr. Burt: A maintenance assessment made by the Child Support Agency applies from the date that the maintenance inquiry form is issued to an absent parent or, where there was previously a court order, from two days after the assessment is made.

There are special provisions for assessing maintenance where the absent parent is a student. He is not required to make payments unless he has income other than from a grant, grant contribution or student loan. Where he does have other income and a maintenance assessment is made, the grant and loan elements are averaged to give a weekly income figure for the weeks for which they are paid. Any element in respect of the costs of his studies—such as examination fees or books—is ignored, as is £10 of the weekly value of a student loan.

The absent parent's average weekly earnings are calculated over the year preceding the issue of the maintenance inquiry form. If he has been a student for a period of less than a year, the calculation is made for the period of studentship. Where child support officers, who make the assessments, consider that the calculation does not produce a representative figure, they have discretion to calculate earnings over a different period. In the vast majority of cases, students would not be liable for maintenance.

Dr. Wright: To ask the Secretary of State for Social Security if he will list all those organisations which made submissions on the child support proposals following the publication in 1990 of "Children Come First", Cm 1264.

Mr. Burt: The following organisations responded to the White Paper "Children Come First", In addition, comments were received from some 100 private individuals and 85 hon. Members.

ALPHABETICAL LIST OF ORGANISATIONS COMMENTING ON GOVERNMENT'S WHITE PAPER 'CHILDREN COME FIRST'

Association of County Court and District Registrars
Association of Metropolitan Authorities
Barnado's
Basildon Council
Building Societies Association
British Bankers Association
British Agencies/Adoption and Fostering
Bradford University (Department of Applied Social Studies)
Bristol University
British Computer Society
Campaign for Justice in Divorce
Campaign for Work
Catholic Family Care Society (Northern Ireland)
Chelmsford Women's Aid
Chief Adjudication Officer:
  Social Security Legislation
Child Poverty Action Group
Children's Legal Centre
Children & Lone Parent Centre (Plymouth)
Church Action on Poverty
Citizens Advice Bureau (Scotland)
Confederation of British Industry (Northern Ireland)
Convention of Scottish Local Authorities
Council of Her Majesty's Circuit Judges
County Councils Women's Forum
Department of Economic Development (Northern Ireland)
Disability Alliance
Dudley Law Centre
Gingerbread
Gingerbread (Scotland)
Families Need Fathers
Family Charter Campaign
Family Law Bar Association
Family Welfare Association
Forum of Private Businesses
Hammersmith Unemployed Workers Group
Hillingdon Women's Centre
Justices' Clerks' Society
Lambeth TUC Unemployed Branch
Law Society
Legal Action Group
London Boroughs Association
Magistrates Association
Mencap
Moorpark Lone Parent Group
National Association of Citizens Advice Bureaux
National Association of Welsh Medium Nursery Schools and Playgroups
National Children's Home
National Commission of Women in Great Britain
National Council For One Parent Families
National Council of Women of GB
Newcastle University
North East Money Advice Centre
Northern Ireland Resident Magistrates Association
Northern Ireland Family Law Association
North Yorkshire Welfare Benefits Unit
Norwich City Council
One Plus One Parent Families Strathclyde
One Parent Families York
Oxfordshire Welfare Rights
Pay Day
Payroll Alliance
Portsmouth Women's Aid Support Group
Principal Registry of Family Division
Save the Children
Scottish Council for Single Parents
Scottish Family Conciliation Service
Scottish Law Commission
Scottish Women's Aid
Sheffield University
Social Security Advisory Committee
Social Security Medical Appeal Tribunals N.I.
Soldiers, Sailors, Airmen Family Association
Solicitors Family Law Association
Spastics Society
Stepfamily
The Children's Society
Thamesdown Law Centre
TUC
University College London
Wages For Housework Campaign
Wandsworth Social Services Department/Welfare Rights Unit
Welsh Womens Aid Trust
West Yorkshire Probation Service
Womens National Commission
Women's Aid Federation
Wythenshawe Law Centre

Ms Walley: To ask the Secretary of State for Social Security what were the response rates to all telephone inquiries to the inquiry line and Child Support Agency centres serving the west midlands within the last 12 months.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Ms Joan Walley, dated 26 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about telephone enquiries to the Child Support Agency.

I am afraid that the Agency does not keep statistics in the form that you have requested. However, I can tell you that between 12 April 1993 and 8 April 1994, the Agency received a total of 676,018 calls on the National Enquiry Line, 97,887 of which were dealt with at the Agency's Centre in Dudley. On average, Dudley Centre also dealt with approximately 140,000 calls a month which were dialled to the Centre switchboard.

The first year of the Agency's operations has stimulated a great deal of activity and I am aware of the difficulties experienced by some clients in contacting the Agency by telephone. We have already examined ways in which this service can be improved, and are now making some changes.

From the end of June, new National Enquiry Line arrangements will be put into effect involving some 60-80 staff the majority of whom will already be experienced in dealing with telephone enquiries and who will be suitably trained in Agency business. These staff will be centrally located, rather than as now spread throughout the Agency's Centres, with the aim of providing a more dedicated core service. Additionally, from the end of June the Agency will begin implementing a new system whereby each Centre will centralise its handling of telephone enquiries.

Mr. Worthington: To ask the Secretary of State for Social Security (1) how much extra money has gone to the Treasury since the Child Support Agency started operations;

(2) how much extra money has gone to the children of families with an absent parent since the Child Support Agency started operations.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Tony Worthington, dated 26 May 1994:

I am replying to your recent Parliamentary Questions to the Secretary of State for Social Security about the amount of money which has gone to the Treasury and the amount to the children of families with an absent parent since the Child Support Agency started operations.

At the end of March the Agency had recorded £335 million in benefit savings in 1993-94. This does not represent the total savings as some will be recorded retrospectively.

Where maintenance is paid direct from one parent to the other, and the collection service provided by the Agency is not used, the Agency would not as a matter of course receive information on the amount or frequency of maintenance payments made. Records are therefore not available of the total sums paid.

I hope this reply is helpful.

Mr. Hoon: To ask the Secretary of State for Social Security, pursuant to his answer of 16 May, *Official Report*, column *353* if he will explain the method used by his Department to calculate the number of cases taken on by the Child Support Agency where people were not already paying maintenance; and for what reason these figures are given as an estimate.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Geoffrey Hoon, dated 26 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about cases taken on by the Child Support Agency.

The number of cases taken on by the Child Support Agency where people were not already paying maintenance is calculated from the number of cases of different types taken on by the Agency and the proportion of cases of each type in which maintenance was not already in payment.

Whilst information is available on the number of cases of each type taken on, actual data on the proportions in which maintenance was not already in payment is not collected for all case types. These figures are therefore based on estimates which, for new and repeat income support cases, represent the proportion of cases with maintenance already in payment prior to Agency involvement and are derived from the Department's Annual Statistical Enquiry. For Family Credit cases a similar estimate is derived from the Departmental Family Credit Statistics.

Pension Schemes

Mr. Trend: To ask the Secretary of State for Social Security if he will publish the results of the consultation exercise on the possible introduction of a minimum solvency requirement for pension schemes.

Mr. Hague: We received completed questionnaires on nearly 500 schemes showing their on-going funding level and solvency level calculated using a valuation method on the lines of that proposed by the Pension Law Review Committee. Those figures were compared with those obtained using a modified valuation method developed in the light of concerns expressed about the working of the original proposal. The findings will be of great help in the further development of an appropriate minimum solvency requirement and I am grateful to all who participated in the exercise. Results of the exercise are published today. Copies have been placed in the Library.

Social Fund

Mr. Cox: To ask the Secretary of State for Social Security what has been the social fund budget for his Department's offices within the London borough of Wandsworth in each of the last three years; and what was the amount of loans made in each of those years.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Mr. Tom Cox, dated 26 May 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about Social Fund budgets for offices within the London Borough of Wandsworth.

Statistical information is recorded by Benefits Agency District, the boundaries of which are not necessarily the same as Borough or constituency boundaries. I have, therefore, provided information for the South West Thames District which deals with the Borough of Wandsworth in addition to other Boroughs.

Details of Social Fund budget allocations (grants and loans), and loan expenditure for the South West Thames District for the years 1991-92, 1992-93 and 1993-94 are shown in the table at Annex A.

I hope you find this reply helpful.

Annex A

Social Fund budgets and loan expenditure for the south west thames district for each of the last three financial years

	Grant allocation £	*Loan allocation* £	*Loan expenditure* £
1991-92	819,740	1,877,056	1,877,055
1992-93	998,614	2,239,296	2,239,298
1993-94	1,046,985	2,551,123	2,551,120

HOME DEPARTMENT

Jury Service

Mrs. Helen Jackson: To ask the Secretary of State for the Home Department what steps he will take to equalise the treatment of unemployed people or jury service with those who are in employment with regard to payment of expenses and national insurance contributions.

Mr. John M. Taylor: I have been asked to reply.

The regulations governing allowances for jurors' expenses, including national insurance contributions, have applied to those on jury service who are unemployed on the same basis as those in employment since they came into operation on 1 January 1979.

Police Dogs

Mr. Alex Carlile: To ask the Secretary of State for the Home Department (1) what proposals he has for the use of police dogs to aid in the identification of suspects on parades; and if he will make a statement;

(2) if he will commission research into the use of dogs in other countries for the purposes of identifying criminals at identification parades; and if he will make a statement.

Mr. Charles Wardle: Any results obtained from using police dogs to identify suspects at identification parades would be of doubtful evidential value and I have no plans to encourage further work in this area.

Prisoners (Transfer)

Mr. Hume: To ask the Secretary of State for the Home Department (1) if he will make a statement on the extent to which the recommendations and undertakings made in the then Minister of State's statement of 23 November 1992, *Official Report*, columns 481-82, regarding temporary transfers of Irish prisoners to prisons in Northern Ireland have not yet been implemented, and the reasons for this;

(2) if he will make a statement on the reasons why prisoners' requests lodged with the Home Office since November 1992 for transfer to prison establishments in Northern Ireland have yet to be decided;

(3) how many requests for transfers to prisons in Northern Ireland have been lodged with the Home Office in each of the last five years; and how many have been granted, refused or are undecided.

Mr. Peter Lloyd: On 23 November 1992, the Government accepted the recommendation made by an interdepartmental working group on the transfer of prisoners that prisoners refused a permanent transfer to another United Kingdom jurisdiction should be considered for a extended temporary transfer. Implementation of this recommendation has been delayed because of subsequent concerns about the legal position.

The information requested on the number of requests made by prisoners to transfer to Northern Ireland and the outcome of these is given in the table.

Requests made by prisoners to transfer to Northern Ireland

	1989	*1990*	*1991*	*1992*	*[1]1993*
Requests received	55	59	80	68	33
Granted	15	3	18	13	5
Refused	40	36	30	24	9
Withdrawn	3	6	14	11	5

Note:

Requests made in any given year may have been decided in a later year.

[1] Total number of requests undetermined at the end of 1993=69.

Prison Births

Ms Ruddock: To ask the Secretary of State for the Home Department how many *(a)* male foreign nationals and *(b)* female foreign nationals were born in prison in England and Wales at the latest available date.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the numbers of (a) male foreign nationals and *(b)* female foreign nationals born in prison in England at the latest available date.

As you will know from the Director General's letter to you of 4 May, it is not usual for women serving a sentence of imprisonment to give birth in prison. Of 691 births to women who were serving a prison sentence in the last ten years only six were born in prison.

I am afraid that we do not keep records of the nationality of children born to imprisoned mothers. I understand that those born before 1 January 1983 in this country would have been British by their birth here but after that time their nationality would depend on the nationality of their mother or father and/or their parents' immigration status at the time of the birth.

Prison Visits

Ms Ruddock: To ask the Secretary of State for the Home Department (1) what is the average distance travelled by relatives visiting inmates in training prisons at the latest available date;

(2) what is the average distance travelled by relatives visiting inmates in women's prisons at the latest available date for which figures are available;

(3) what is the average distance travelled by relatives visiting inmates in closed young offender institutions at the latest available date.

Mr. Peter Lloyd: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about the average distances travelled by relatives visiting inmates in closed young offender institutions; women's prisons; and training prisons.

No information is held centrally on the distances travelled by relatives visiting inmates in these establishments. However, the National Prison Survey conducted in January and February 1991, asked prisoners who had received a visit from family or friends in the three months before interview, how far their most important visitor had had to travel to visit them. The average distance travelled by all most important visitors who were relatives visiting inmates in:

	Miles
Closed young offender institutions[1]	75
Women's prisons	62
Training prisons[1]	82

[1] Includes visitors to both male and female prisoners.

Drug Offences

Ms Ruddock: To ask the Secretary of State for the Home Department what percentage of *(a)* male foreign nationals and *(b)* female foreign nationals in prison were convicted of drug offences at the latest available date.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking what percentage of male foreign nationals and female foreign nationals in prison were convicted of drug offences at the latest available date.

On 31 March 1994 in Prison Service establishments in England and Wales 30 per cent. of sentenced male foreign nationals (excluding fine defaulters) were recorded centrally as being under sentence for drugs offences. The equivalent female percentage was 69 per cent.

Immigration

Mr. Dalyell: To ask the Secretary of State for the Home Department why Mr. Ghazanfar Ali Raja, IMP A3 6383 4/6, PO 24915/93, currently in Germany, has been told by a letter from Her Majesty's consulate general in Düsseldorf that no decision on his application to join his wife, Mrs. Carde Raja, a British citizen, of 145 High street, Linlithgow, can be made before a period of six to 12 months has elapsed.

Mr. Charles Wardle: I will write to the hon. Member.

Mr. Allen: To ask the Secretary of State for the Home Department how his Department will assess whether the marriage of an European economic area national is one of convenience; and how an European economic area national whose marriage is alleged to be one of convenience will be able to challenge or appeal against that assessment.

Mr. Charles Wardle: Where there are reasonable grounds for suspecting that a marriage between a European Economic Area national and a non-EEA national is one of convenience for immigration purposes, further inquiries will be made before deciding the application. The determining factor will be the intention of the couple to live permanently together as man and wife in a settled and genuine relationship.

An EEA national has a right of appeal against refusal of a residence permit.

Mr. Allen: To ask the Secretary of State for the Home Department how many applications either for entry clearance or for leave to remain have been received in respect of the third country national family members of British citizens who have exercised rights under articles 48, 52 and 59 of the EC treaty in another EU member state in each year since the decision of the European Court of Justice in the case of Surinder Singh.

Mr. Charles Wardle: Since the judgment of the European Court of Justice in the case of Surinder Singh (C370/90) in July 1992, a total of 29 entry clearance applications have been made, at British diplomatic posts abroad, by persons who are not European Economic Area nationals and who have sought entry as family members of British citizens who have exercised treaty rights in another member state.

Of these applications, eight were made in 1992; 19 were made in 1993; and two have been made so far in 1994.

Information is not available on the number of applications made for leave to remain by such persons.

Mr. Fraser: To ask the Secretary of State for the Home Department in what circumstances he departs from recommendations from immigration adjudicators; whether there is any variation in practice in relation to recommendations from appeals against deportation with a restricted appeal right; and if he will make a statement.

Mr. Charles Wardle: It is the normal policy to accept adjudicators' recommendations unless to do so would be unreasonable or inconsistent, or would undermine general policy. There is no variation in the application of this policy as between one type of appeal and another.

Mr. Allen: To ask the Secretary of State for the Home Department whether non-visa, non-European Economic Area national family members of European economic area nationals established in the United Kingdom will be required to hold European Economic Area family permits to be granted entry.

Mr. Charles Wardle: Under the Immigration (European Economic Area) Order 1994, family members of a European Economic Area national who are not themselves EEA nationals and who seek admission to install themselves in the United Kingdom on a permanent or semi-permanent basis with the EEA national will need to hold an EEA family permit.

Mr. Allen: To ask the Secretary of State for the Home Department how many citizens of the Union have exercised their rights under articles 48, 52 and 59 of the EC treaty in each of the last five years to apply for entry clearance or leave to remain for their third country national spouses and other family members to join or remain with them in the United Kingdom; and how many of these applicants have been interviewed about the circumstances of their marriage or other family relationship in each year.

Mr. Charles Wardle: Information is not available in the form requested. However, since March 1993 a total of 1,965 after entry applications were received—1,275 in 1993, 690 so far in 1994—from non-European Economic Area nationals for residence documents of both limited and unlimited validity as the spouse, or other family member, of an EEA national exercising a treaty right in the United Kingdom. In 39 applications involving marriage—23 in 1993, 16 so far in 1994—an interview was carried out.

Yemen

Mr. Miller: To ask the Secretary of State for the Home Department, what plans Her Majesty's Government has to offer sanctuary to non-Yemeni nationals resident in the Yemen who are forced to flee due to the civil war but whose travel documents do not confer a right of settlement elsewhere.

Mr. Charles Wardle: None, but we are keeping the situation in the Yemen under review.

Mr. Allen: To ask the Secretary of State for the Home Department how many of applications for leave to remain or entry clearance have been refused to the third country national family members of citizens of the Union exercising free movement rights in the United Kingdom in accordance with the treaties in each of the past five years.

Mr. Charles Wardle: Information is not available in the form requested. However of 1,251 applications received since March 1993 from non-European Economic Area nationals for residence documents of limited validity as the family member of an EEA national, 44 have been refused.

Mr. Allen: To ask the Secretary of State for the Home Department (1) what measures have been put in place or are being put in place to give effect to the right under article 52 of the European Community treaty of companies and other legal persons to establish themselves in business in the United Kingdom deploying such staff as the company considers best able to fulfil its requirements irrespective of the nationality of the staff;

(2) how the Government have discharged their obligations under article 54(3)(f) of the EC treaty and the abolition of restrictions on freedom of establishment both as regards the conditions for setting up agencies, branches or subsidiaries in the United Kingdom and as regards the conditions governing the entry of personnel, including personnel not holding the citizenship of a member state or an European economic area state, belonging to the main establishment into managerial or supervisory posts in such agencies, branches or subsidiaries.

Mr. Charles Wardle: Following completion of the single market and implementation of the European Economic Area agreement, EEA nationals or companies may establish themselves here for business purposes including setting up agencies, branches or subsidiaries, under the same terms as United Kingdom businesses. EEA nationals have the right to enter the United Kingdom simply on production of a valid EEA passport or identity card and to work here in any capacity. Non-EEA nationals who wish to take up employment in the United Kingdom must satisfy the requirements of the immigration rules.

Prisoners (Mental Health)

Ms Ruddock: To ask the Secretary of State for the Home Department how many prisoners in England and Wales received some form of mental health care in each of the last five years.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about how many prisoners in England and Wales received some form of mental health care in each of the last five years.

This information is not available in the form requested. However, Prison Service medical officers carry out medical monitoring at regular intervals within their establishments. The most up to date information held centrally is for February 1994 and is set out in the table below with comparative figures for the two previous years.

	February 1994	*February 1993*	*February 1992*
Mentally disordered prisoners awaiting transfer to hospital	136	123	92
Mentally disordered prisoners being treated in prison health care centres	802	415	671
Other prisoners requiring mental health care	1,766	2,343	1,515

Electoral Procedures

Mr. Rooker: To ask the Secretary of State for the Home Department what representations he has received from electoral administrators about the rules requiring verification of unused ballot papers at a count; and if he will make a statement.

Mr. Peter Lloyd: My officials have received two representations from electoral administrators on this matter since June 1990. But my right hon. and learned Friend has at present no plans to propose a change to the rules.

Prisons (Listener Schemes)

Ms Ruddock: To ask the Secretary of State for the Home Department in which prisons in England and Wales listener schemes are in operation.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking in which prisons in England and Wales listener schemes are in operation.

There are fifty prisons in which such schemes are in operation, as follows:

Albany
Ashwell
Aylesbury
Belmarsh
Blantyre House
Bristol
Brixton
Bullingdon
Cardiff
Castington
Chelmsford
Dartmoor
Deerbolt
Dorchester
Downview
Durham
Elmley
Exeter
Ford
Gartree
Gloucester
High Down
Holloway
Hull
Lancaster Farms
Leeds
Leicester
Leyhill
Lincoln
Lindholme
Long Lartin
Morton Hall
The Mount
Norwich
Nottingham
Pentonville
Portland
Prescoed
Ranby
Rudgate
Send
Shepton Mallet
Stocken
Styal
Swaleside
Swansea

Usk
The Verne
Wandsworth
Winchester.

In addition, there are 14 other prisons where the listener scheme is scheduled to begin by the end of this year.

Acklington
Birmingham
Drake Hall
Garth
Grendon
Guys Marsh
Hadfield
Kirkham
Lewes
Manchester
Northallerton
Parkhurst
Stafford
Whatton

Prisons (Substance Abuse)

Ms Ruddock: To ask the Secretary of State for the Home Department (1) in which prisons in England and Wales drug abuse programmes are available to prisoners; and how many prisoners *(a)* commenced and *(b)* completed the programme in each prison in (i) 1992-93 and (ii) 1993-94;

(2) in which prisons in England and Wales alcohol abuse programmes are available to prisoners; and how many prisoners *(a)* commenced and *(b)* completed the programme in each prison in (i) 1992-92 and (ii) 1993-94.

Mr. Peter Lloyd: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about drug abuse programmes in prisons in England and Wales.

The Prison Service does not collate statistics on drugs abuse programmes centrally. A wide range of drug treatments are available across the prison system carried out by a variety of prison staff, including medical officers, psychologists, probation officers and health care officers, and using a number of different approaches such as detoxification, behavioural treatment and counselling. The Prison Service is currently developing a strategy on drugs with the aim of bringing together the reduction of supply and reduction of demand for drugs in prison. As part of this developing strategy a survey of drug abuse programmes is currently being carried out. Of the 75 prisons so far surveyed 98·7 per cent. (74) of establishments provided some form of treatment or education programmes for prisoners with drug misuse problems and 96 per cent. (72) of establishments provided some form of treatment or education for prisoners with alcohol problems. The statistics showing the type of treatment programmes available to individual and groups of prisoners for drug treatment and alcohol treatment are provided in annex 1.

	Percentage of establishments providing this service for prisoners
Drug Treatment Programmes for Individual Prisoners	
Detoxification	34·7
Maintenance prescribing	16·0
Counselling	84·0
Drug awareness training	62·7
Tackling offending behaviour	65·3
Instruction in harm minimisation	52·0
Narcotics anonymous	17·3
Drugs use and HIV infection	74·7
Drug Treatment Programmes for Groups of Prisoners	
Counselling	56·0
Drug awareness training	74·7
Tackling offending behaviour	66·7
Instruction in harm minimisation	52·0
Support groups for families	4·0
Narcotics anonymous	17·3
Drugs use and HIV infection	76·0
Alcohol Treatment Programmes for Individual Prisoners	
Detoxification	28·0
Counselling	72·0
Alcohol awareness training	61·3
Tackling offending behaviour	54·7
Alcoholics anonymous	40·0
Alcohol Treatment Programmes for Groups of Prisoners	
Counselling	42·7
Tackling offending behaviour	65·3
Support groups for families	4·0
Alcoholics anonymous	46·7

Sentencing

Ms Ruddock: To ask the Secretary of State for the Home Department what percentage of people sentenced in the courts received *a)* a custodial sentence and *(b)* a non-custodial sentence each month from January 1992 to the latest available date.

Mr. Maclean: Information on sentencing for both the magistrates court and the Crown Court for 1992 is given in tables A to C. 1993 data will not be available until the autumn. Data provided by the Lord Chancellor's Department for committals for trial at the Crown court are given in table D.

Table A: Persons sentenced at magistrates' courts for all offences by month, type of offence and type of sentence England and Wales 1992

	Total sentenced		*Indictable offences Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	23,544	100	1,341	6	22,203	94
February	20,673	100	1,172	6	19,501	94
March	22,047	100	1,255	6	20,792	94
April	20,117	100	1,157	6	18,960	94
May	17,867	100	975	5	16,892	95
June	20,402	100	1,040	5	19,362	95
July	20,295	100	1,067	5	19,228	95
August	18,301	100	1,017	6	17,284	94
September	20,454	100	1,035	5	19,419	95
October	20,699	100	483	2	20,216	98

	Indictable offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
November	19,886	100	609	3	19,277	97
December	17,131	100	645	4	16,486	96
Total	241,416	100	11,796	5	229,620	95

	Summary non-motoring offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	41,146	100	438	1	40,708	99
February	35,672	100	359	1	35,313	99
March	40,817	100	380	1	40,437	99
April	37,268	100	314	1	36,954	99
May	36,018	100	266	1	35,752	99
June	42,138	100	336	1	41,802	99
July	41,937	100	322	1	41,615	99
August	36,881	100	300	1	36,581	99
September	41,214	100	277	1	40,937	99
October	39,647	100	143	0	39,504	100
November	39,799	100	187	0	39,612	100
December	32,540	100	164	1	32,376	99
Total	465,077	100	3,486	1	461,591	99

	Summary motoring offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	61,977	100	612	1	61,365	99
February	54,875	100	536	1	54,339	99
March	61,195	100	593	1	60,602	99
April	57,310	100	496	1	56,814	99
May	52,930	100	436	1	52,494	99
June	62,771	100	494	1	62,277	99
July	64,265	100	545	1	63,720	99
August	58,781	100	507	1	58,274	99
September	63,925	100	450	1	63,475	99
October	61,495	100	306	0	61,189	100
November	59,806	100	368	1	59,438	99
December	50,443	100	355	1	50,088	99
Total	709,773	100	5,698	1	704,075	99

	All offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	126,667	100	2,391	2	124,276	98
February	111,220	100	2,067	2	109,153	98
March	124,059	100	2,228	2	121,831	98
April	114,695	100	1,967	2	112,728	98
May	106,815	100	1,677	2	105,138	98
June	125,311	100	1,870	1	123,441	99
July	126,497	100	1,934	2	124,563	98
August	113,963	100	1,824	2	112,139	98
September	125,593	100	1,762	1	123,831	99
October	121,841	100	932	1	120,909	99
November	119,491	100	1,164	1	118,327	99
December	100,114	100	1,164	1	98,950	99
Total	1,416,266	100	20,980	1	1,395,286	99

Table B: Persons sentenced at the Crown Court for all offences by month, type of offence and type of sentence
England and Wales 1992

			Indictable offences			
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	7,990	100	3,622	45	4,368	55
February	7,623	100	3,412	45	4,211	55
March	8,094	100	3,742	46	4,352	54
April	6,490	100	3,000	46	3,490	54
May	6,554	100	2,960	45	3,594	55
June	7,035	100	3,202	46	3,833	54
July	7,919	100	3,637	46	4,282	54
August	5,495	100	2,468	45	3,027	55
September	6,496	100	2,889	44	3,607	56
October	5,802	100	2,273	39	3,529	61
November	6,268	100	2,538	40	3,730	60
December	5,351	100	2,210	41	3,141	59
Total	81,117	100	35,953	44	45,164	56

			Summary non-motoring offences—			
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	315	100	79	25	236	75
February	273	100	54	20	219	80
March	300	100	68	23	232	77
April	240	100	52	22	188	78
May	190	100	41	22	149	78
June	266	100	52	20	214	80
July	294	100	68	23	226	77
August	176	100	43	24	133	76
September	221	100	50	23	171	77
October	218	100	36	17	182	83
November	197	100	30	15	167	85
December	161	100	34	21	127	79
Total	2,851	100	607	21	2,244	79

			Summary motoring offences			
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	141	100	43	30	98	70
February	117	100	43	37	74	63
March	142	100	49	35	93	65
April	91	100	36	40	55	60
May	123	100	52	42	71	58
June	112	100	38	34	74	66
July	131	100	50	38	81	62
August	105	100	36	34	69	66
September	127	100	40	31	87	69
October	104	100	18	17	86	83
November	111	100	25	23	86	77
December	83	100	18	22	65	78
Total	1,387	100	448	32	939	68

			All offences			
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	8,446	100	3,744	44	4,702	56
February	8,013	100	3,509	44	4,504	56
March	8,536	100	3,859	45	4,677	55
April	6,821	100	3,088	45	3,733	55
May	6,867	100	3,053	44	3,814	56
June	7,413	100	3,292	44	4,121	56
July	8,344	100	3,755	45	4,589	55
August	5,776	100	2,547	44	3,229	56
September	6,844	100	2,979	44	3,865	56
October	6,124	100	2,327	38	3,797	62
November	6,576	100	2,593	39	3,983	61

	All offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
December	5,595	100	2,262	40	3,333	60
Total	85,355	100	37,008	43	48,347	57

Table C: Persons sentenced at all courts for all offences by month, type of offence and type of sentence England and Wales 1992

	Indictable offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	31,534	100	4,963	16	26,571	84
February	28,296	100	4,584	16	23,712	84
March	30,141	100	4,997	17	25,144	83
April	26,607	100	4,157	16	22,450	84
May	24,421	100	3,935	16	20,486	84
June	27,437	100	4,242	15	23,195	85
July	28,214	100	4,704	17	23,510	83
August	23,796	100	3,485	15	20,311	85
September	26,950	100	3,924	15	23,026	85
October	26,501	100	2,756	10	23,745	90
November	26,154	100	3,147	12	23,007	88
December	22,482	100	2,855	13	19,627	87
Total	322,533	100	47,749	15	274,784	85

	Summary non-motoring offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	41,461	100	517	1	40,944	99
February	35,945	100	413	1	35,532	99
March	41,117	100	448	1	40,669	99
April	37,508	100	366	1	37,142	99
May	36,208	100	307	1	35,901	99
June	42,404	100	388	1	42,016	99
July	42,231	100	390	1	41,841	99
August	37,057	100	343	1	36,714	99
September	41,435	100	327	1	41,108	99
October	39,865	100	179	0	39,686	100
November	39,996	100	217	1	39,779	99
December	32,701	100	198	1	32,503	99
Total	467,928	100	4,093	1	463,835	99

	Summary motoring offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	62,118	100	655	1	61,463	99
February	54,992	100	579	1	54,413	99
March	61,337	100	642	1	60,695	99
April	57,401	100	532	1	56,869	99
May	53,053	100	488	1	52,565	99
June	62,883	100	532	1	62,351	99
July	64,396	100	595	1	63,801	99
August	58,886	100	543	1	58,343	99
September	64,052	100	490	1	63,562	99
October	61,599	100	324	1	61,275	99
November	59,917	100	393	1	59,524	99
December	50,526	100	373	1	50,153	99
Total	711,160	100	6,146	1	705,014	99

	All offences					
	Total sentenced		*Custodial sentences*		*Non-custodial sentences*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
January	135,113	100	6,135	5	128,978	95
February	119,233	100	5,576	5	113,657	95
March	132,595	100	6,087	5	126,508	95

	All offences					
	Total sentenced		Custodial sentences		Non-custodial sentences	
	Number	Percentage	Number	Percentage	Number	Percentage
April	121,516	100	5,055	4	116,461	96
May	113,682	100	4,730	4	108,952	96
June	132,724	100	5,162	4	127,562	96
July	134,841	100	5,689	4	129,152	96
August	119,739	100	4,371	4	115,368	96
September	132,437	100	4,741	4	127,696	96
October	127,965	100	3,259	3	124,706	97
November	126,067	100	3,757	3	122,310	97
December	105,709	100	3,426	3	102,283	97
Total	1,501,621	100	57,988	4	1,443,633	96

Table D: Proportionate use of immediate custody for defendants sentenced at the Crown court following committal for trial. England and Wales 1992-94

Month	*1992*	*1993*	*1994*
January	48	42	52
February	48	46	54
March	49	47	52
April	50	49	—
May	49	50	—
June	49	51	—
July	48	52	—
August	48	54	—
September	48	54	—
October	42	52	—
November	42	52	—
December	43	54	—

Prisons (Drug Testing)

Ms Ruddock: To ask the Secretary of State for the Home Department what is the estimated cost of the introduction of drug testing in prisons for the year 1994-95 and for each of the next four years.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the estimated cost of drug testing in prisons.

It is not possible at this stage to estimate the cost of drug testing over the next four or five years. This will depend on a number of factors, such as the number and frequency of tests, which will be addressed in pilot schemes which we plan to conduct later this year.

Obscene Publications Branch

Mr. Nicholas Winterton: To ask the Secretary of State for the Home Department , pursuant to his oral answer of 19 May, *Official Report*, column 941, (1) on what date he expects the Commissioner of Police of the Metropolis to complete his review of the structure of the obscene publications branch; and why reference to the existence of the obscene publications branch has been deleted from the 1994 edition of the Police and Constabulary Almanac official register;

(2) who took the decision to delete from the 1994 edition of the Police and Constabulary Almanac official register all mention of the obscene publications branch of the Metropolitan police;

(3) whether he was consulted about and informed of the decision to delete from the 1994 edition of the Police and Constabulary Almanac official register all mention of the obscene publications branch of the Metropolitan police; and whether this decision is consistent with his policy on the future of the branch.

Mr. Charles Wardle: I understand from the Commissioner that he expects to receive the final report of the restructuring review of specialist operations, which includes the obscene publications branch, in August.

The lack of a specific reference to the obscene publications branch in the 1994 edition of the Police and Constabulary Almanac is the result of an administrative oversight within the Metropolitan police. The error has been noted for correction.

Police Cells

Mrs. Roche: To ask the Secretary of State for the Home Department how many prisoners are currently held in police cells.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mrs. Roche, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about how many prisoners are currently held in police cells.

On Monday 23 May, the latest date for which complete information is available, 130 prisoners were held in police cells.

Prisons (Anger Management Programmes)

Ms Ruddock: To ask the Secretary of State for the Home Department in which prisons in England and Wales anger management programmes are available to prisoners; and how many prisoners *(a)* commenced and *(b)* completed the programme in each prison in (i) 1992-93 and (ii) 1993-94.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question to the Secretary of State for the Home Department about which prisons in England and Wales provide anger management programmes and the numbers of prisoners commencing and completing the programme in each prison.

Teams of tutors from the following establishments were trained to run the anger management programme as follows:

1. Between 1 April 1992 and 31 March 1993:

HMP Elmley
HMP Featherstone
HMP Frankland
HMP Highdown
HMP Leeds
HMP Long Lartin
HMP Manchester
HMP Risley

HMYOI Brinsford
HMYOI Bullwood Hall
HMYOI Dover
HMYOI Feltham
HMYOI Hollesley Bay
HMYOI Huntercombe
HMYOI Lancaster Farms
HMYOI Moorland
HMYOI Onley

2. Between 1 April 1993 and 31 March 1994:

HMP Albany
HMP Ashwell
HMP Belmarsh
HMP Birmingham
HMP Bullingdon
HMP Camp Hill
HMP Canterbury
HMP Coldingley
HMP Full Sutton
HMP Highpoint
HMP Lincoln
HMP Lindholme
HMP The Mount
HMP Nottingham
HMP Parkhurst
HMP Ranby
HMP Stocken
HMP Wakefield
HMP Wayland
HMP Wandsworth
HMP Whatton
HMP Woodhill
HMP Wormwood Scrubs

HMRC Reading

HMYOI Aylesbury
HMYOI Erlestoke
HMYOI Stoke Heath
HMYOI Swinfen Hall

The frequency of anger management programmes and numbers of prisoners attending in any given year are not held centrally and could only be obtained at disproportionate cost.

Fine Defaulters

Ms Ruddock: To ask the Secretary of State for the Home Department how many prisoners in England and Wales were serving sentences for fine defaults at the latest available date, given *(a)* as an absolute number and *(b)* as a percentage of the prison population, and broken down by gender.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking how many prisoners in England and Wales were serving sentences for fine defaults at the latest available date, given *(a)* as an absolute number and *(b)* as a percentage of the prison population, and broken down by gender.

On 31 March 1994 there were 585 fine defaulters (557 Males and 28 Females) held in Prison Service establishments in England and Wales. They accounted for 1·2 per cent. of the total prison population (including prisoners held in police cells). Male fine defaulters accounted for 1·2 per cent. of the male prison population; the equivalent female percentage was 1·6 per cent.

Murder Cases

Mr. Austin-Walker: To ask the Secretary of State for the Home Department (1) if he will make a statement on the matters referred to him by the hon. Member for Woolwich in respect of the Rolan Adams and Stephen Lawrence murder cases;

(2) what evidence he has seen to suggest that a police officer was involved in discrediting the evidence of an eye witness to the murder of Stephen Lawrence;

(3) what was the involvement with key witnesses in the Stephen Lawrence and Rolan Adams murder cases of the police officer whose name has been supplied to him; and if he will make a statement.

Mr. Peter Lloyd: I understand from the Commissioner that he is considering information which has been supplied to him in connection with the matter referred to by the hon. Member.

Deportation

Mrs. Roche: To ask the Secretary of State for the Home Department if he will make it his policy to publish reports of investigating officers into complaints about excessive force by the employees of private security firms during deportations; and if he will make a statement.

Mr. Charles Wardle: No. It is not normal practice to publish investigating officers' reports.

Prisoners' Compacts

Ms Ruddock: To ask the Secretary of State for the Home Department in which prisons in England and Wales prisoners' compacts are in operation; what is the procedure by which the content of the individual compact is decided; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking which prisons in England and Wales prisoners' compacts are in operation; what is the procedure by which the content of the individual compact is decided; and if he will make a statement.

Listed below are those establishments which, in June 1993, the latest date for which the information is available, were operating prisoners' compacts:

Blantyre House
Brinsford
Bristol (Pilot scheme in one wing)
Canterbury (Unconvicted wing and Resettlement wing)
Cardiff (Remand wing)
Deerbolt (Pilot scheme)
Drake Hall
Erlestoke (Education Department)
Haslar
Kirklevington Grange
Leyhill
Lindholme (One wing)
Low Newton
Manchester (Education Department)
Moorland
Swinfen Hall
Thorn Cross
Thorpe Arch
Werrington
Wetherby

Compacts were also being experimented with at the following establishments:

Bullwood Hall
Downview
Frankland
Hull
Latchmere House
Morton Hall
North Sea Camp
Norwich
Rudgate
Swaleside
Usk/Prescoed
Wakefield
Whitemoor
Wolds

The procedure by which the content of the individual compact is decided is a matter for the governor of the establishment concerned, taking account of advice which was issued in December 1993. This set out a model prisoner compact and advice on developing a compact locally.

Prison Suicides

Ms Ruddock: To ask the Secretary of State for the Home Department how many *(a)* male and *(b)* female suicides there were in prisons in 1993-94.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about how many *(a)* male and *(b)* female suicides there were in prisons in 1993-94.

The information is shown in the table below:

Year	*Male*	*female*
1993	46	1
1994	16	0

Prisons (Cognitive Skills Programmes)

Ms Ruddock: To ask the Secretary of State for the Home Department in which prisons in England and Wales cognitive skills programmes are available to prisoners; and how many prisoners *(a)* commenced and *(b)* completed the programme in each prison in (i) 1992-93 and (ii) 1993-94.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about which prisons in England and Wales provide cognitive skills programmes and the numbers of prisoners commencing and completing the programme in each prison.

The centrally managed cognitive skills programme was introduced in the financial year 1993-94. Pilot programmes were introduced in 11 establishments.

1. Piloting *Reasoning and Rehabilitation* cognitive skills programme:
   HMYOI Aylesbury
   HMYOI Brinsford
   HMYOI Full Sutton
   HMYOI Glen Parva
   HMYOI Grendon
   HMP Holloway
   HMYOI Lancaster Farms
   HMP Leyhill
   HMYOI Swinfen Hall
2. Piloting *In-house* cognitive skills programme:
   HMYOI Lancaster Farms
   HMP Wakefield
   HMP Wandsworth

3. Prisoners completing the programme 1993-94 are as follows:

Establishment	*Started*	*Completed*
Reasoning and Rehabilitation Cognitive Skills Programme		
HMYOI Aylesbury	8	6
HMYOI Brinsford	22	11
HMP Full Sutton	17	7
HMYOI Glen Parva	7	3
HMYOI Grendon	10	8
HMP Holloway	17	13
HMYOI Lancaster Farms	8	4
HMP Leyhill	8	6
HMYOI Swinfen Hall	7	5
In-house Cognitive Skills Programme		
HMYOI Lancaster Farms	10	8
HMP Wakefield	36	31
HMP Wandsworth	9	7
TOTAL	159	109

Prisoners (AIDS)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department, pursuant to his answer of 11 May, *Official Report,* column *161,* to what extent doctors in the prison service are expected to take into account the risk of the AIDS virus being spread by the sharing of heroin needles when deciding whether to prescribe methadone.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Alex Carlile, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking the Secretary of State for the Home Department, to what extent doctors in the prison service are expected to take into account the risk of the AIDS virus being spread by the sharing of heroin needles when deciding whether to prescribe methadone.

The decision on whether to prescribe methadone to prisoners is a clinical judgment at which prison medical officers are expected to arrive in the same way as medical practitioners do in the community outside prison. This means that they would take into account all the relevant factors including HIV and AIDS. Prison medical officers have the clinical freedom to prescribe pharmaceutically or otherwise to protect the health of individual prisoners. This has been made clear in all HIV/AIDS training in prisons and was recently reinforced by a letter from the Director of Health Care in the Prison Service in a letter to all prison doctors on the 18 May 1994. A copy of this letter is enclosed.

Following is the letter referred to in Mr. Butler's communication:

Dear Doctor

TRANSMISSION OF HIV WITHIN THE PRISON CONTEXT

The first recorded case of HIV transmission within the English Prison Service has been reported and confirmed. The transmission was by sexual contact. Cases of transmission reported from Glenochil Young Offender Centre in Scotland last year were caused by injecting with contaminated needles.

I draw this case to your attention to remind you of the need to continue to give high priority to HIV/AIDS awareness, and to have in place a strategy for the management of HIV/AIDS in your prison. All prisons should have HIV multi-disciplinary teams as outlined in Circular Instruction 30/1991. Following the completion of the 1993 Training Programme prisons should also have trained HIV counsellors and trained HIV care and support officers who are available to develop education programmes and offer advice to staff and prisoners. The multi-disciplinary teams need to consider contingency plans for HIV emergencies including outbreaks of HIV, hepatitis B or other infectious diseases related to HIV. The medical officers, trained counsellors and care and support officers must be able to provide support and advice if such an incident occurs in each prison.

Doctors have particular responsibility to communicate relavant medical information promptly to their medical colleagues both inside and outside of the Service. Where transmission of HIV occurring within the prison context is documented, it is important that this information is provided to the health care adviser and the Directorate of Health Care. The names of the infected individuals need not be divulged.

It is important that liaison between the doctor in the prison, the health care adviser and the Directorate is achieved in order that the most appropriate action is taken, and that any relevant questions which may be raised in the media or in Parliament can be dealt with appropriately.

Doctors have a responsibility to ensure that any person known to have HIV infection has access to regular medical monitoring (both clinical and laboratory). This is outlined in the Circular Instruction. Regular medical monitoring must include counselling on safer sexual behaviour and safer drugs use to minimise the risk of spread of HIV infection.

Doctors have the clinical freedom to prescribe pharmaceutically or otherwise to protect the health of individual prisoners. Legal advice is that doctors who so prescribe for their patients with appropriate advice, in the exercise of their clinical judgment, could expect protection in law for doing so.

Any queries about this DDL should be addressed to Dr. Robin Ilbert or Mr. L. Curran.

Sentences (Cost)

Ms Ruddock: To ask the Secretary of State for the Home Department what was the average cost per month of *(a)* keeping someone in prison and *(b)* sentencing someone to community-based penalties in (i) 1992-93 and (ii) 1993-94.

Mr. Peter Lloyd: In 1992-93 the average monthly net operating cost per prisoner place was £2,019 and the cost of community sentences between £104 and £108.

In 1993-94 the average monthly cost of community sentences was between £106 and £110. Figures for the monthly net operating cost per prisoner place for 1993-94 are not yet available.

Restraint Use

Mr. Michael: To ask the Secretary of State for the Home Department what was the ethnic origin of those *(a)* prison inmates and *(b)* persons in police custody on whom restraints were used during 1993.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Alun Michael, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking what was the ethnic origin of those *(a)* prison inmates and *(b)* persons in police custody on whom restraints were used during 1993.

I am afraid that the information is not available centrally.

Pre-sentence Reports

Mrs. Roche: To ask the Secretary of State for the Home Department how many representations his Department has received regarding the proposal in the Criminal Justice and Public Order Bill to abolish the requirement for a pre-sentence report before imposing custody or a community sentence; and how many of those representations were in favour of abolition.

Mr. Maclean: Since this proposal was brought forward in the Criminal Justice and Public Order Bill, the Home Office has received 22 representations, all opposing it.

Prison Sanitation

Mrs. Roche: To ask the Secretary of State for the Home Department how many prison cells currently have access to sanitation; and what proportion this is of all prison cells.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mrs. Barbara Roche, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of prison cells which have access to sanitation.

A significant number of prisoners are held in non cellular accommodation, in units which we describe as cubicular. A small number are held in dormitories, although this type of accommodation is being phased out. Our data, therefore, about work to achieve 100 per cent. access to sanitation is provided solely on the basis of prison places, without differentiating between cellular and non-cellular accommodation. Also, the programme is monitored in terms of work to be done.

At the end of April there were still just over 4,000 cells in use without access to sanitation. Some 700 of these are being modernised in the course of projects which are already underway and the remainder in projects which are scheduled to start between now and February 1996. 91 per cent. of prison places in use now have full time access to sanitation.

The Prison Service continues to give very high priority to the sanitation programme. Our aim is to ensure that at least 95 per cent. of prisoners have access to sanitation by the end of 1994/95 and that 100 per cent. is achieved by February 1996, in line with the recommendations of the Woolf report.

Sex Offenders (Treatment)

Ms Ruddock: To ask the Secretary of State for the Home Department in which prisons in England and Wales sex offender treatment programmes are available to prisoners; and how many prisoners *(a)* commenced and *(b)* completed the programme in each prison in (i) 1992-93 and (ii) 1993-94.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the availability of sex offender treatment programmes in prisons in England and Wales and the numbers of prisoners commencing and completing the programme in (i) 1992-93 and (ii) 1993-94.

The centrally managed sex offender treatment programme is now available in 17 adult male and one young offender male establishments.

Other prisons where locally managed programmes are in operation include HMP Grendon and HMP Wormwood Scrubs.

The number of prisoners having their treatment needs assessed and those completing treatment on the centrally managed programme is as shown in the attached table.

Prison	*1992-93*		*1993-94*	
	Number Assessed	*Number completed Core Programme*	*Number Assessed*	*Number completed Core Programme*
Acklington[1]	—	—	27	—
Albany	27	16	40	35
Channings Wood	24	16	44	34
Dartmoor	97	43	54	20
Full Sutton	33	10	70	19
Leyhill[2]	—	—	14	7
Littlehey	28	12	98	24
Maidstone	40	13	45	14
Risley	24	22	58	28
Swinfen Hall[3]	22	14	19	14
Usk	33	25	50	41
Wakefield	69	14	103	40
Wandsworth	21	16	48	19
Wayland	56	38	60	35
Whatton	40	40	50	48
Whitemoor	30	5	79	28
Woodhill	8	—	33	33
Wymott[4]	—	—	12	—
TOTALS	552	284	904	439

[1] HMP Acklington has offered the Core Programme 1993-94 only.

[2] HMP Leyhill has offered the Core Programme 1993-94 only.

[3] HMYOI Swinfen Hall is currently the only *young offender institution* which offers the Core Programme.

[4] HMP Wymott has offered the Core Programme 1993-94 only.

Prisons (Overcrowding)

Ms Ruddock: To ask the Secretary of State for the Home Department (1) what steps he is taking to deal with overcrowding in prisons; what assessment he has made of the effect of overcrowding on the safety of prison staff and prisoners; and if he will make a statement;

(2) what measures he is taking to deal with prison overcrowding; and what are his plans regarding the use of *(a)* police cells, *(b)* temporary buildings or portakabins and *(c)* prison ships or barges.

Mr. Peter Lloyd: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the measures being taken to deal with prison overcrowding and the use of police cells, temporary buildings and prison ships or barges; and also about the effect of overcrowding on staff and prisoner safety.

The majority of Prison Service establishments are not overcrowded. Despite the rise in the prison population, overcrowding has reduced markedly from the high levels of the late 1980s. In 1987-88, an average of over 5,000 prisoners shared three to a cell designed for one. By the end of March 1994, no prisoners were sharing in this way. In 1987-88, an average of nearly 13,400 prisoners shared two to a cell designed for one. By the end of March 1994 there were only 8,500.

To reduce overcrowding and maximise the use of available accommodation, sentenced prisoners are transferred as quickly as possible from local prisons and remand centres, where the population pressures are most acute, to training prisons and young offender institutions. In addition, some establishments have changed the type of prisoner they take to fit better with current needs and the court catchment areas of some local prisons and remand centres have been adjusted to equalise population pressures as far as possible. Further progress in reducing overcrowding will be made as additional accommodation at existing prisons and new places at new prisons come on stream.

Some use of police cells has been necessary in the North of England since the beginning of 1994. The number of prisoners held in police cells peaked at 540 in mid-March but had reduced to 130 on 23 May. If there is no unplanned loss of accommodation or exceptional surge in the prison population, the current use of police cells should end during June. Every effort will be made to avoid future use of police cells.

There are no present plans to use accommodation such as military camps or floating facilities, but some use of temporary buildings within prison establishments will continue to be made to enable progress with the building and refurbishment programme to continue.

Each establishment has an operational capacity which is set at the number of prisoners who can be held without serious risk to good order—including the safety of staff and prisoners—or to security and the proper running of the planned regime. It remains a top priority of the Prison Serice to ensure that the number of prisoners held in an establishment is kept within the establishment's operational capacity.

Prison Statistics

Ms Ruddock: To ask the Secretary of State for the Home Department what was the *(a)* certified normal accommodation, *(b)* operational activity and *(c)* actual population at each prison in England and Wales at the latest available date.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about Prison Service accommodation and population.

The attached table shows the certified normal accommodation (CNA), operational capacity and actual population in each establishment in England and Wales on 24 May 1994. A copy of the table has been placed in the House of Commons Library.

24 May 1994

Establishment	*Certified normal accommodation in use*	*Operational capacity*	*Population*
Acklington	658	658	606
Albany	436	436	391
Aldington	127	127	118
Ashwell	404	404	383
Askham Grange	126	127	101
Aylesbury	241	246	213
Bedford	303	329	308
Belmarsh	841	841	736
Birmingham	558	869	786
Blakenhurst	649	649	615
Blantyre House	95	95	95
Blundeston	408	408	385
Brinsford	446	446	465
Bristol	423	473	430
Brixton	483	656	630
Brockhill	135	135	132
Bullingdon	635	635	607
Bullwood Hall	125	125	121
Camp Hill	378	441	365
Canterbury	184	275	263
Cardiff	334	450	431
Castington	300	300	296
Channings Wood	594	594	560
Chelmsford	230	393	353
Coldingley	292	292	284
Cookham Wood	120	120	115
Dartmoor	538	538	515
Deerbolt	450	450	383
Dorchester	138	200	205
Dover	316	316	228
Downview	287	291	270
Drake Hall	255	255	200
Durham	399	577	611
East Sutton Park	94	94	84
Elmley	627	627	621
Erlestoke	250	250	234
Everthorpe	228	228	223
Exeter	274	473	383
Featherstone	599	599	580
Feltham	842	842	776
Finnamore Wood	106	106	50
Ford	536	536	455
Frankland	447	432	425
Full Sutton	604	576	542
Garth	512	512	496
Gartree	277	277	271
Glen Parva	767	788	757
Gloucester	215	271	238
Grendon	190	186	177

Establishment	*Certified normal accommodation in use*	*Operational capacity*	*Population*
Guys Marsh	240	180	182
Hollesley Bay	365	365	316
Haslar	131	131	130
Hatfield	180	180	155
Haverigg	381	381	351
Hewell Grange	156	174	161
Highdown	549	549	519
Highpoint	679	679	589
Hindley	280	319	292
Holloway	517	532	489
Holme House	649	649	617
Hull	328	430	428
Huntercombe	226	225	201
Kingston	154	154	137
Kirkham	644	620	598
Kirklevington	74	74	72
Lancaster farms	364	364	359
Lancaster	260	246	259
Latchmere House	145	145	140
Leeds	814	1,168	1,093
Leicester	192	348	341
Lewes	282	377	319
Leyhill	410	410	392
Lincoln	444	628	617
Lindholme	567	567	533
Littlehey	593	583	547
Liverpool	931	1,267	1,228
Long Lartin	362	362	347
Low Newton	198	343	252
Maidstone	485	485	463
Manchester	620	632	682
Moorland	635	635	640
Morton Hall	168	168	169
New Hall	169	169	175
North Sea Camp	201	201	203
Northallerton	150	219	119
Norwich	327	476	405
Nottingham	222	222	209
Onley	540	540	469
Oxford	107	120	27
Parkhurst	286	258	235
Pentonville	559	765	713
Portland	420	420	347
Preston	382	545	498
Pucklechurch	56	81	58
Ranby	347	347	338
Reading	182	205	150
Risley	751	716	702
Rochester	294	330	220
Rudgate	287	300	269
Send	113	113	106
Shepton Mallet	158	211	173
Shrewsbury	168	307	279
Spring Hill	210	210	205
Stafford	362	534	521
Standford Hill	384	384	345
Stocken	396	396	391
Stoke Heath	300	300	281
Styal	180	209	223
Sudbury	413	348	341
Sudbury Foston	96	96	92
Swaleside	512	512	503
Swansea	155	220	227
Swinfen Hall	182	182	181
Thorn Cross	209	209	195
The Mount	484	484	494
The Verne	552	538	529
The Wolds	320	368	371
Thorp Arch	166	166	165
Usk	241	241	217
Wormwood Scrubs	714	1,050	910
Wakefield	718	718	686
Wandsworth	821	1,033	866
Wayland	580	580	542
Wellingborough	344	314	306
Werrington	110	110	105

Establishment	*Certified normal accommodation in use*	*Operational capacity*	*Population*
Wetherby	196	196	150
Whatton	216	216	211
Whitemoor	534	524	476
Winchester	368	492	391
Woodhill	566	566	509
Wymott	432	384	327
Total	47,979	52,443	48,586

"Forbidden Knowledge"

Mr. McNamara: To ask the Secretary of State for the Home Department when he expects to reply to the letter dated 24 March from the hon. Member for Kingston upon Hull, North regarding the computer disc entitled "Forbidden Knowledge".

Mr. Maclean: I wrote to the hon. Member on 25 May 1994.

Parliamentary Boundaries

Mr. Cox: To ask the Secretary of State for the Home Department what representations he has received regarding the redistribution of parliamentary boundaries within the Greater London area.

Mr. Peter Lloyd: My right hon. and learned Friend has received no representations concerning the boundary commission's specific proposals for the Greater London area.

Young Offenders

Mr. Mills: To ask the Secretary of State for the Home Department when he proposes to introduce the penalties for young offenders that are contained in the Criminal Justice and Public Order Bill.

Mr. Maclean: The timetable for implementation will be substantially dependent on the progress of the Bill in Parliament and is likely to be different in respect of the Bill's provisions relating to different sentences. For example, the timing of the introduction of the new secure training order for 12 to 14-year-old persistent offenders will be dependent also on the availability of the new secure accommodation for which the Bill makes provision. It is the Government's firm intention that all the Bill's provisions on sentencing young offenders should be in force as soon as possible after Royal Assent, but at this stage, it would be premature to set firm implementation dates.

Fire Safety

Mr. Dafis: To ask the Secretary of State for the Home Department when he will publish the final report of the fire safety scrutiny team.

Mr. Charles Wardle: My right hon. and learned Friend expects to receive the report from the scrutiny team very shortly. Thereafter he will be considering along with my right hon. Friends, the President of the Board of Trade, the Secretary of State for Employment and the Secretary of State for the Environment, how best to take things forward.

Mr. Beith: To ask the Secretary of State for the Home Department what consultations have taken place between his officials and the construction industry task force on fire legislation and enforcement; which officials were involved in the consultations; and what specific reference has been made to these consultations in documents published or placed in the Library.

Mr. Charles Wardle: There were no formal consultations between my officials and the construction industry task force on fire legislation and enforcement. However, Mr. R. J. Miles and Mr. A. N. Pickersgill of the fire safety division did meet two members of the task force and officials from the Department of Trade and Industry on 5 July 1993 when preliminary deregulatory ideas were raised.

There were no further meetings between members of the fire safety division and the task force; and my right hon. Friend the President of the Board of Trade published the latter's proposals in January 1994. No reference to meetings with officials were made in that document or in the task force's working papers which were placed in the Library on 30 March 1994.

Government Information

Mr. Llew Smith: To ask the Secretary of State for the Home Department when he published his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and to whom it has been made available.

Mr. Howard: Copies of the guidance notes on the arrangements to implement the code of practice on government information in the Home Office were placed in the Library of the House on 16 May. The campaign for freedom of information has been sent a copy, at its request. Copies are available to the general public from the publications unit of the Home Office information and library services on request.

Pet Identification

Mr. Morley: To ask the Secretary of State for the Home Department what analysis the Government have undertaken into forms of identification for pets.

Mr. Charles Wardle: The Government considered different forms of identification for dogs, prior to the introduction of the Dangerous Dogs Act 1991.

Prisoners (Cost)

Mr. Marland: To ask the Secretary of State for the Home Department what is the average cost per week of maintaining a prisoner in gaol.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for reply to be given.

Letter from A. J. Butler to Mr. Paul Marland, dated 26 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the average cost per week of maintaining a prisoner in jail.

In 1992-93 the average weekly net operating cost per prisoner place in England and Wales was £466.

Police Management Reorganisation

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department what management reorganisation plans are being considered by police authorities and constabularies; and if he will list the constabularies, the nature of the plans involved and the effect on police establishments, plus supernumeraries, in each case.

Mr. Charles Wardle: Some two thirds of forces are understood to have reorganised into locally managed, basic command units based on a single-tier management structure. Most other forces have completed, or are undertaking, reviews of their structure and organisation. Details of the nature of individual force restructuring plans and the effects on establishment levels are not readily available and could be obtained only at disproportionate cost.

Special Police Protection

Mr. Redmond: To ask the Secretary of State for the Home Department on what grounds he refused the Gloucestershire police force request for additional resources to protect *(a)* the Prince of Wales's Highgrove house, *(b)* the Princess Royal's Gatcombe Park and *(c)* the home of Prince and Princess Michael of Kent; and if he will make a statement.

Mr. Charles Wardle: I will write to the hon. Member.

Pornography

Mr. Alton: To ask the Secretary of State for the Home Department if he will make a statement on the importance of the work of the obscene publications squad in combating *(a)* computer pornography, *(b)* child pornography and *(c)* sadistic pornography.

Mr. Maclean: The Government fully acknowledge the important work that the obscene publications squad does in combating all kinds of pornography. We have been assured by the Commissioner that the Metropolitan police will continue this work, whatever the outcome of his current restructuring exercise.

Parliamentary Counsel

Ms Lynne: To ask the Secretary of State for the Home Department on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

Mr. Howard: Parliamentary Counsel does not draft on behalf of private Members, but on the instructions of Departments acting on the authority of Ministers. With the authority of Ministers, amendments were drafted by Parliamentary Counsel on instructions from Departments and subsequently passed to private Members in 1993 in respect of the Local Government (Amendment) and the Bail (Amendment) Bills.

Registrars of Births, Deaths and Marriages

Mr. Pike: To ask the Secretary of State for the Home Department what factors led to the imposition of the age limit for the appointment of registrars of births, deaths and marriages; and if he will make a statement.

Mr. Sackville: I have been asked to reply.

Generally, the statutory age restrictions for appointment as registrar of births, deaths and marriages are 21 years minimum and 65 years maximum. The minimum age restriction was set to reflect the special personal responsibilities and liabilities which accompany statutory office of registrar and the sensitivity of the duties. The upper limit is related to the normal retirement age for men but may be waived if there is no other suitable candidate for appointment.

British Passport (Mr. A. Jordan)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will make a statement on the current status of a British passport in the name of Mr. A. Jordan, born in Reading on 1 November 1963.

Mr. Lennox-Boyd *[holding answer 23 May 1994]:* There is no record of a British passport being issued to a Mr. A. Jordan, born in Reading on 1 November 1963.

TRANSPORT

A19 (Emergency Telephones)

Mr. Cummings: To ask the Secretary of State for Transport when he expects work to commence on providing emergency telephones on that stretch of the A19 from Teesside to the Tyne tunnel; and if he will make a statement.

Mr. Key: Subject to the availability of funds, work is expected to commence on providing emergency telephones on the A19 between Stockton-on-Tees and the Tyne tunnel during the 1995-96 financial year.

Rail Freight

Mr. David Nicholson: To ask the Secretary of State for Transport if he will make a statement on the progress since 1 January 1993 of measures to encourage and facilitate more freight to be transported by rail.

Mr. Freeman: We have liberalised access to the rail network, facilitated the restructuring of BR's freight businesses as a prelude to privatisation, improved the freight facilities grants scheme, introduced a new track access grant for marginal freight flows and raised the maximum gross vehicle weight limit to 44 tonnes for suitably configured six-axle lorries engaged in combined road/rail transport.

Diesel-powered Vehicles

Mr. Jonathan Evans: To ask the Secretary of State for Transport how many diesel-powered vehicles are currently licensed by the Driver and Vehicle Licensing Agency.

Mr. Key: The latest available figures, for end December 1993, estimate total licensed stock to be 24·8 million vehicles, of which 3·2 million are recorded as being diesel powered.

London Transport

Mr. Tracey: To ask the Secretary of State for Transport whether he has set quality of service objectives for London Underground Ltd. and London Transport bus services.

Mr. Norris: I have today written to the chairman of London Transport setting quality of service objectives for London Underground Ltd. and London Transport bus services. Copies of my letters have been placed in the Library of the House.

Roads

Mr. Dafis: To ask the Secretary of State for Transport (1) if he will arrange for the reprinting of the report by the Standing Advisory Committee on Trunk Road Assessment, on "Assessing the Environmental Impact of Road Schemes";

(2) when the findings of the Standing Advisory Committee on Trunk Road Assessment concerning the traffic-generating potential of road building will be published.

Mr. Key: I refer the hon. Member to the replies I gave to my hon. Friend the Member for Dartford (Mr. Dunn) and the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 20 May 1994, *Official Report*, columns *596* and *599*.

Birmingham Northern Relief Road

Mr. Richard Shepherd: To ask the Secretary of State for Transport whether the report to the inspector of the 1988 public inquiry into the Birmingham northern relief road was made available to which bidders for the concession to build a privately financed motorway.

Mr. Key: No, the inspector's report was not made available to any of the bidders for this concession.

Office of Passenger Rail Franchising

Mr. Dobson: To ask the Secretary of State for Transport, pursuant to his answer of 20 May, *Official Report*, column 600, if he will provide separate dates and participants for each future meeting to be held, for all dates which have been booked, between Shandwick Consultants and *(a)* the franchising director, *(b)* officials from Opraf and *(c)* officials from his Department.

Mr. Freeman: Both the Franchising Director and officials from Opraf, and the Department will meet from time to time with Shandwick to discuss and review their work programme.

Mr. Dobson: To ask the Secretary of State for Transport, pursuant to his answers of 20 May, *Official Report*, column 600, and his answer to the hon. Member for Cunninghame, North (Mr. Wilson), what is his estimate of the total amount, inclusive of value-added tax, which his Department will have paid to Dewe Rogerson for advice on his Department's marketing strategy for rail privatisation by the time Dewe Rogerson's contract has been completed; what element of this total arises from his Department's decision to terminate the contract between his Department and Dewe Rogerson; on what date Dewe Rogerson was informed of his Department's decision to terminate the contract; and what length of notice was stipulated for either party under the contract.

Mr. Freeman: The answers are:

(a) It is not possible to provide a figure for the total amount until Dewe Rogerson's work is finally completed and their final invoice submitted for payment.

(b) None.

(c) 12 May 1994.

(d) The contract provided for termination by the Department giving three months' notice in writing.

Trans-European Road Network

Mr. McNamara: To ask the Secretary of State for Transport if he will place in the Library a copy of the trans-European road routes from the island of Ireland to Europe.

Mr. Key: The trans-European road network was agreed by the Council of the European Communities on 29 October 1993—council decision 93/629/EEC. I have placed in the Library a copy of the map showing the currently agreed network in the United Kingdom, which includes the routes to Ireland. Amendments to the network are under consideration, including the removal of the east-west route from Stansted to Oxford following its withdrawal from the national road programme.

Ms Walley: To ask the Secretary of State for Transport what submissions he has made under the trans-European road network programme; and what consultations he has carried out.

Mr. Key: Revisions to the trans-European road network are being progressed as part of the new rules for trans-European transport networks that are required to be in place by 1 July 1995. As part of our consideration of the network in England we have consulted local highway authorities and other interested bodies. Similar consultations have taken place in Scotland, Wales, and Northern Ireland. We have already asked that the following additions be made to the network in the United Kingdom:

—the M25 between junctions 3 and 5
—the M27 between Southampton and Portsmouth
—the M62 between the M6 and Liverpool
—the A465/A40 Heads of the Valleys route from the M4 near Swansea to Raglan
—the M8/A8 from Glasgow to Greenock
—the M77/A77 from Glasgow to Ayr.

The Commission has included those additions in its proposal on the trans-European transport networks of 28 March 1994. We are at present considering other suggested amendments to our part of the road network, and shall reach a decision soon on whether we shall pursue these.

Ms Walley: To ask the Secretary of State for Transport what submissions he has made under *(a)* the trans-European conventional rail network programme and *(b)* the trans-European high-speed network programme; and what consultations he has carried out.

Mr. Freeman: The European Commission is shortly expected to bring forward proposals for the establishment of networks for high-speed passenger and conventional rail services. In assisting the Commission with the formulation of its proposals, we have consulted both British Rail and Railtrack, and will continue to do so as discussions proceed. Formal adoption of these and other EC network guidelines is not expected before the middle of next year.

Seat Belts

Mr. Dobson: To ask the Secretary of State for Transport (1) if he will give a list of all new research commissioned by his Department for use in his review into the technical and cost implications of fitting seat belts to both minibuses and coaches; on what date and from which organisation such research was commissioned; if he will place copies of each separate piece of research in the Library; and if he will make a statement;

(2) if he will publish the full terms of reference given to those individuals and/or organisations invited to carry out his review into the technical and cost implications of fitting seat belts to both minibuses and coaches;

(3) on what date his review was established into the technical and cost implications of fitting seat belts to both minibuses and coaches; on what date a press notice or formal announcement was made of the establishment of this review; which outside individuals and organisations have been appointed to the body carrying out the review; how many meetings have been held by the body set up to carry out the review; and what is his estimate of the cost to date of carrying out the review.

Mr. Key: Officials were asked to review the full technical and cost implications of fitting seat belts to all seats in minibuses and coaches following the M2 accident, which occurred on 10 November.

I first announced to the House that the review was being undertaken in an answer to my hon. Friend the Member for Bury St. Edmunds (Mr. Spring), on 29 November 1993, *Official Report*, column *346*. The review made use of existing research and accident data and other industry information.

I have now received the report and hope to be able to announce the conclusions shortly.

EMPLOYMENT

Young Workers Directive

Sir Teddy Taylor: To ask the Secretary of State for Employment what is the purpose of the young workers directive; under what clause of what treaty it is being introduced; and whether it is subject to unanimity or majority vote in the Council of Ministers.

Mr. Michael Forsyth: The draft directive seeks to regulate the working hours and other conditions of employment of young people aged under 18. It has been brought forward as a health and safety measure under article 118a of the treaty of Rome and is subject to qualified majority voting in the Council of Ministers.

Sir Teddy Taylor: To ask the Secretary of State for Employment (1) what was the object of the four-year renewable opt-out to the provisions of the young workers directive initially secured by the United Kingdom; when this opt-out was removed by the European Parliament; and what was the vote in Parliament;

(2) what assessment he has made of the proposed young workers directive, as amended by the European Parliament, on the freedom to employ newspaper boys in the United Kingdom; and if he will make a statement.

Mr. Michael Forsyth: The opt-out, which can be renewed six years after the directive is adopted, means that the United Kingdom can continue to follow our existing controls on the hours of work of young people. Newspaper boys and girls will be free to continue to work as they do now. On 9 March 1994 the European Parliament voted by a majority of 275 to delete our opt-out, but it has not been removed because the Parliament can only suggest amendments for directives—such as this—introduced under article 118a of the treaty of Rome. The Council of Ministers will decide the final form of the directive.

Sir Teddy Taylor: To ask the Secretary of State for Employment (1) if the removal of the British opt-out from provisions of the young workers directive is subject to the Maastricht treaty provisions in relation to the power of the Council to remove amendments made by the European Parliament; and what will be the effect of these Maastricht provisions.

(2) if he will take steps to inform *(a)* newspaper boys and *(b)* other young people about the effect of the Maastricht treaty provisions on their employment prospects.

Mr. Michael Forsyth: The United Kingdom renewable opt-out has not been removed from the draft young workers directive which is not, in any event, affected by the treaty on European Union negotiated at Maastricht.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Employment if he will list for each of the last five years, the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Michael Forsyth: Information in the form requested could be provided only at disproportionate cost.

Labour Statistics

Mr. Cox: To ask the Secretary of State for Employment how many disabled *(a)* men and *(b)* women living in the Greater London area were registered as unemployed at the most convenient date.

Miss Widdecombe: The labour force survey asks people of working age if they currently have a health problem or disability which limits the kind of paid work that they can do. Estimates based on answers to this question will include people with short-term health problems and disabilities as well as those registered as disabled.

The latest labour force survey estimates for summer 1993 show that there were 40,000 such men and 17,000 such women who were International Labour Organisation unemployed and living in Greater London.

Mr. Pickthall: To ask the Secretary of State for Employment how many married women in employment have children of school age.

Miss Widdecombe: Estimates from the labour force survey show there were 2,178,000 married women with children aged 5 to 15 in employment in Great Britain at autumn 1993.

Mr. Prescott: To ask the Secretary of State for Employment what is the percentage of claimants unemployed who have been unemployed for at least 12 months in *(a)* the 20 electoral wards with the highest claimant unemployment rate in the United Kingdom and *(b)* the 20 electoral wards with the lowest claimant unemployment rate in the United Kingdom.

Miss Widdecombe: The smallest areas for which official unemployment rates are calculated are self-contained labour markets known as travel-to-work areas. Information at ward level relates only to the level of claimant unemployment and an analysis by duration is available for the months of January, April, July and October. Data are on the unadjusted basis and can be obtained from the NOMIS database in the Library.

Aerospace Industry

Mr. Barry Jones: To ask the Secretary of State for Employment what is his estimate of the number of people employed in the United Kingdom aerospace industry.

Miss Widdecombe: The latest reliable information is from the 1991 census of employment. In September 1991, there were 147,400 jobs in Great Britain in the aerospace equipment manufacturing and repairing industry—activity heading 3640 of the 1980 standard industrial classification.

Animal Transport and Slaughter

Mr. Meale: To ask the Secretary of State for Employment if he has any plans to make compulsory the formal training of transporter drivers and slaughtermen in the United Kingdom.

Miss Widdecombe: There are no plans to make the formal training of transporter drivers compulsory. Requirements for the training of slaughtermen are the responsibility of my right hon. Friend the Minister for Agriculture, Fisheries and Food. There are already requirements for the training of poultry slaughtermen in the Slaughter of Poultry (Licenses and Specified Qualifications) Regulations 1991. A consultation document on the training of red meat slaughtermen was issued in December 1993; responses are being considered.

Modern Apprentices

Dr. Lynne Jones: To ask the Secretary of State for Employment if he will allow 18-year-olds to enter the modern apprenticeship scheme.

Miss Widdecombe: As my right hon. Friend the Secretary of State announced to the House on 24 May, *Official Report,* columns 197-267, 18-year-olds will be able, from 1995, to enter accelerated modern apprenticeships as described in the White Paper "Competitiveness: Helping Business to Win", Cm. 2563.

In addition, 18-year-olds will be eligible for the mainstream modern apprenticeship initiative if their entry to training has been delayed and the training provided is more appropriate to their needs.

ACAS

Mr. Brandreth: To ask the Secretary of State for Employment when he expects to receive the annual report of the Advisory, Conciliation and Arbitration Service.

Miss Widdecombe: My right hon. Friend the Secretary of State has received the Advisory, Conciliation and Arbitration Service report for 1993, which will be laid before both Houses of Parliament on Wednesday 1 June. Copies will then be available from the Vote Office. The report will be released to the public on Thursday 2 June.

Absenteeism

Mr. Alex Carlile: To ask the Secretary of State for Employment if he will list the numbers of days lost through absenteeism in the United Kingdom in each of the last 10 years; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 25 May 1994]:* Figures for the number of days lost through unauthorised absence from work are not available.

PRIME MINISTER

Wena Hotels, Egypt

Mr. Hunter: To ask the Prime Minister if he will make representations to President Mubarak, requesting the full and immediate implementation of the verdict of the Egyptian arbitration authorities in favour of the United Kingdom company Wena Hotels in respect of its dispute with the Egyptian hotel company.

The Prime Minister: There are two hotels involved in this dispute. The Egyptian arbitration committee last month awarded Wena Hotels compensation in respect of one hotel, but judgment is awaited for the second. The company remains in touch with the Egyptian authorities, with support from our embassy in Cairo.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 26 May.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 26 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others.

EC (Legislation)

Sir Teddy Taylor: To ask the Prime Minister if he will raise at the next meeting of the European Council the volume of legislation being proposed by the Commission.

The Prime Minister: We are still discussing the agenda for the Corfu European Council with our European Union partners. We will bear my hon. Friend's suggestion in mind. We welcome the continued downward trend in the number of proposals for principal legislation brought forward annually by the Commission, a trend which owes much to the efforts of the Government.

Iraq

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 11 May, *Official Report,* column *185,* when he expects the British Red Cross to have clarified the issues in respect of the health of the Iraqi people, with particular reference to water filters and water pumps.

The Prime Minister: The British Red Cross has, with its Dutch and German colleagues, been discussing with the European Community the possibility of a significant contribution to the International Federation of Red Cross and Red Crescent Societies' appeal. Once the amount of this contribution has been resolved, and the British Red Cross has clarified how successful the appeal has been, they expect to put a proposal to Her Majesty's Government. The timing of such a proposal is a matter for the British Red Cross.

Fascists

Mr. Winnick: To ask the Prime Minister if he will put a proposal before other heads of Governments of the European Union that a member country which has fascists in its Government be suspended from the Union.

The Prime Minister: No. All member states of the European Union have democratically elected Governments, and we work with them on that basis.

Malaysia

Mr. Byers: To ask the Prime Minister, pursuant to his answer of 17 May, *Official Report,* column *404,* on what day in June 1988 the Malaysian Government were informed of his predecessor's wish to visit Malaysia.

The Prime Minister: On 29 June 1988.

Disabled People

Mr. Wareing: To ask the Prime Minister, pursuant to his answer of 10 May, *Official Report,* column 153, what estimate he has made of the cost of the proposed consultation exercise to investigate discrimination against disabled people; and if he will list those persons and organisations he intends to consult.

The Prime Minister: The Government will consult within six months on proposals to combat, not investigate, discrimination against disabled people. A wide range of organisations will be consulted, including those involving disabled people, employers and business more generally. The exact extent and cost of the consultation exercise will not be known until the proposals have been finalised.

Australia and Thailand

Mr. Byers: To ask the Prime Minister which Ministers travelled with his predecessor when she visited Australia and Thailand in August 1988.

The Prime Minister: During her visit to Australia and Thailand in August 1988, my right hon. and noble Friend was not accompanied by any Ministers.

NORTHERN IRELAND

Licensing Legislation

Mr. Colvin: To ask the Secretary of State for Northern Ireland (1) on what date he expects to respond to the review of licensing legislation in Northern Ireland; and if he will make a statement;

(2) what form his response to the review of licensing legislation in Northern Ireland will take; and if he will make a statement;

(3) what organisations have made representations on the review of licensing legislation in Northern Ireland; and if he will make a statement.

Mr. Ancram: Representations on those aspects of Northern Ireland's liquor licensing law which they wish to see changed have been received from the following:

North Down Petty Sessions
Philip Russell Ltd.
Banbridge District Council
Hamilton and Kirk Ltd.
Bass Ireland Ltd.
Stewarts
Wine and Spririt Association of Northern Ireland
Hastings Hotels Group Ltd.
Lisburn Borough Council
Royal Ulster Agricultural Society
Marks and Spencer
South Belfast Labour Party
North Down Borough Council
Strabane District Council
Ballymoney Borough Council
Federation of the Retail Licensed Trade Northern Ireland
Winemark
Hospitality Association of Northern Ireland
Down District Council
Guinness
Craigavon Borough Council
Derry City Council
Northern Ireland Tourist Board
Coleraine Borough Council
Cookstown District Council
Restauranteurs Association of Northern Ireland
Ards Borough Council
Northern Ireland Off-licensed Traders Association
The British Field Sports Society
The Queen's University of Belfast
The Law Society
The Lord's Day Observance Society

In addition, submissions were received from two individuals.

The requests for change, and their implications for the related review of the law on registered clubs, are being considered. Proposals for amending both the law on liquor licensing and on registered clubs will be contained in draft Orders in Counicl which will be published for consultation when both reviews have been completed.

Bone Cancer

Mr. Martyn Jones: To ask the Secretary of State for Northern Ireland (1) how many cases of bone cancer per 100,000 population there have been in Northern Ireland in each year since 1970;

(2) how many cases of cancers of all types per 100,000 population there have been in Northern Ireland in each year since 1970.

Mr. Ancram: The information requested is taken from the Cancer Registry for Northern Ireland and is set out in the table:

New notification of cancer per 100,000 population

Year	Bone cancers per 100,000 population	All cancers per 100,000 population
1970	1·78	285
1971	1·49	287
1972	1·17	272
1973	1·44	290
1974	1·44	288
1975	1·64	308
1976	1·77	307
1977	1·05	301
1978	1·71	296
1979	0·52	296
1980	1·44	306
1981	0·46	300
1982	0·78	317
1983	0·52	337
1984	0·90	321
1985	0·77	323
1986	0·77	335
1987	0·83	340
1988	1·14	372
1989	0·82	365
1990	1·07	380
1991	0·82	368

Notes

The Cancer Registry is estimated to hold notifications for about 60 per cent. of all new cancer cases.

1991 is the latest year for which information is currently available.

Benefit Fraud

Mr. Thurnham: To ask the Secretary of State for Northern Ireland what is his latest estimate of the number of people claiming benefit fraudulently.

Mr. Ancram: In 1992-93, there were 3,967 cases of social security fraud detected involving savings of some £10·6 million which is 0·5 per cent., of the total amount of benefit paid. There is, however, no reliable estimate of the number of fraudulent claims not detected.

Unemployment

Mr. John Marshall: To ask the Secretary of State for Northern Ireland what has been the change in the level of unemployment since January 1993.

Mr. Tim Smith: Seasonally adjusted figures show that the level of unemployment has fallen by 6,600 since January 1993.

Inter-party Talks

Mr. Jim Marshall: To ask the Secretary of State for Northern Ireland if he will make a statement on the progress made towards a resumption of the inter-party talks on the future of Northern Ireland.

Ms Short: To ask the Secretary of State for Northern Ireland if he will make a statement on the discussions he has had with the parties in Northern Ireland and the Irish Government relating to the constitutional future of Northern Ireland.

Mr. Ancram: Bilateral discussions are continuing with three of the four Northern Ireland parties on the same basis as previously. The two Governments are also working intensively on a framework to carry the process forward. Our aim is to return to multilateral talks involving the two Governments and all the parties at the earliest appropriate moment.

Mr. Canavan: To ask the Secretary of State for Northern Ireland whether he will arrange discussions with political leaders to facilitate the peace process.

Sir Patrick Mayhew: My hon. Friend the Minister of State and I will continue to invite discussion on the prospects for a peaceful political settlement in Northern Ireland with leaders of the main constitutional parties. The Government believe that the three-stranded talks process provides the framework within which agreement is most likely to be reached.

Security

Mr. Parry: To ask the Secretary of State for Northern Ireland if he will make a statement on the security situation in the Province.

Mr. Cyil D. Townsend: To ask the Secretary of State for Northern Ireland if he will make a statement on security in Northern Ireland.

Sir John Wheeler: As at 25 May, 32 people have died this year as a result of terrorism in Northern Ireland, 13 in the last four weeks.

The security forces continue to oppose terrorism with unrelenting determination. So far this year, 171 people have been charged with terrorist-related offences, including 43 with murder or attempted murder.

Exclusion Orders

Mr. Corbyn: To ask the Secretary of State for Northern Ireland what action he is taking to review the operation of the Prevention of Terrorism (Temporary Provisions) Act 1989 and the use of exclusion orders.

Sir Patrick Mayhew: The operation of the Prevention of Terrorism (Temporary Provisions) Act 1989, including the use of exclusion orders, is the responsibilty of my right hon. and learned Friend the Secretary of State for the Home Department.

Crime Statistics

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland what are the latest figures for crime in Northern Ireland.

Sir John Wheeler: The Chief Constable of the Royal Ulster Constabulary will shortly publish his annual report for 1993, which will show that there was a decrease of 1·9 per cent. in notifiable crimes recorded in 1993 when compared to 1992.

Family Planning

Mrs. Gorman: To ask the Secretary of State for Northern Ireland if he will make a statement on family planning services in Northern Ireland.

Mr. Ancram: Comprehensive family planning services are available free of charge throughout Northern Ireland.

Cross-border Co-operation

Mr. Clifton-Brown: To ask the Secretary of State for Northern Ireland if he will make a statement on the level of co-operation between United Kingdom and Republic of Ireland security forces.

Sir John Wheeler: Excellent co-operation between the Royal Ulster Constabulary and the Garda is achieving vital successes against the terrorists. The two Governments support them by continuing to review and refine security co-operation measures in response to the threat from terrorism.

News Reporting

Mr. Fabricant: To ask the Secretary of State for Northern Ireland when he next plans to meet representatives of the broadcasting industry in Northern Ireland to discuss their news reporting.

Sir John Wheeler: I frequently meet representatives of the broadcasting industry in Northern Ireland, as do my ministerial colleagues and officials; our discussions cover a range of issues of common interest. There is at present no fixed date for my next such meeting.

Activity Centres

Mr. Jamieson: To ask the Secretary of State for Northern Ireland what measures his Department is taking to ensure the safety of children participating in activities at outdoor activity centres in Northern Ireland.

Mr. Ancram: All schools were circulated with detailed guidance on "Safety in Outdoor Education" in November 1989.

Northern Ireland is represented on the steering group, set up following the announcement on 11 November 1993 by my right hon. Friend the Secretary of State for Education. This group will shortly be publishing further guidance in respect of safety in outdoor activity centres.

Child Care Training

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on future funding of the Northern Ireland Pre-School Playgroups Association training projects for women wishing to pursue a career in child care.

Mr. Tim Smith: Funding for Northern Ireland Pre-School Playgroups Association training projects includes a contribution from the European social fund. The negotiations with the European Commmission on the 1994-1999 Northern Ireland structural funds package, which includes European social fund measures, will not be completed for some weeks yet. The future of individual applications cannot be decided until the new programmes have been agreed.

Fair Employment Legislation

Mr. Soley: To ask the Secretary of State for Northern Ireland what assessment he has made of the working of the Fair Employment (Northern Ireland) Act 1989.

Mr. Tim Smith: Since the coming into operation of Fair Employment (Northern Ireland) Act 1989, my predecessors and I have regularly met the chairman of the Fair Employment Commission to assess the implementation of the Act.

In addition, officials meet formally with the chief executive of the FEC every three months to review the full range of work being carried out by the Commission.

I am satisfied with the way the Act has been operating and am encouraged by the progress that has been made to date.

Job Creation

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many new jobs were created in the last financial year by *(a)* inward investment and *(b)* local expansion; and what is the forecast for 1994-95.

Mr. Tim Smith: During the financial year 1993-94, 3,289 new jobs were created with assistance from the Industrial Development Board. Some 1,548 of these jobs were in foreign-owned and 1,741 in indigenous companies. Additionally, companies assisted by the Local Enterprise Development Unit created 5,890 new jobs during the calendar year 1993. I anticipate a similarly encouraging employment performance in 1994-95.

Bill of Rights

Dr. Godman: To ask the Secretary of State for Northern Ireland what recent representations he has received concerning the introduction and implementation of a Bill of Rights; and if he will make a statement.

Sir Patrick Mayhew: Over the past six months my Department has received representations about the introduction of a Bill of rights from the Ulster Unionist party, the Social Democratic and Labour party, the Liberal Democrats, the Workers Party, the National Peace Council and the Committee for the Administration of Justice. The Standing Advisory Commission on Human Rights and the organisers of Initiative 92 have also expressed their continuing support for the idea.

The Government are ready in the context of the political talks involving the Irish Government and the main constitutional parties to consider the case for further enhancing the protection of human rights in Northern Ireland, including some form of entrenchment to provide additional, built-in safeguards against discrimination and disadvantage.

HEALTH

Direct Care Staff

Mr. Redmond: To ask the Secretary of State for Health how many direct care staff aged over 70 years are employed in each regional health authority.

Dr. Mawhinney: Pursuant to my reply to the hon. Member for Macclesfield (Mr. Winterton), *Official Report*, 24 March, column *415*, a recent further check on the data about employees in this age band has shown it to be unreliable. The information requested is therefore not available.

Health Service Expenditure

Mr. Redmond: To ask the Secretary of State for Health how much is spent per capita on health services for residents in the *(a)* Doncaster, *(b)* Barnsley, *(c)* Rotherham, *(d)* Sheffield and *(e)* England as a whole; and what proportion is spent on treatment (i) in hospital and (ii) by community services, excluding the element cost which is attributable to medical education and research for the latest date she has figures available; and what were the figures (1) five and (2) 10 years ago.

Ms Primarolo: To ask the Secretary of State for Health what was the expenditure per head of population on hospital and community health service by district health authority in the last available year.

Dr. Mawhinney: I refer the hon. Members to the reply I gave the hon. Member for Darlington (Mr. Milburn) today, which gave the latest available figures for all district health authorities and family health services authorities in England. It is not possible to break those figures down further into spend on hospital and community services, or to remove the cost element of medical education and research from the figures.

It is not possible to give per capita figures for earlier years on a comparable basis.

Parliamentary Counsel

Ms Lynne: To ask the Secretary of State for Health on what occasions since April 1992 Ministers from her Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

Mr. Sackville: Parliamentary Counsel does not draft on behalf of private Members but on the instructions of Departments acting on the authority of Ministers. With the authority of Ministers, amendments were drafted by Parliamentary Counsel on instructions from Departments and subsequently passed to private Members in respect of the Osteopaths Bill, the Medicines Information Bill and the Chiropractors Bill.

Cancer

Mr. Sheerman: To ask the Secretary of State for Health when she expects the level of cancer specialists per head of population to attain that achieved by Portugal, Spain, the Netherlands, Germany, France and Norway.

Dr. Mawhinney: Comparisons with any international rates of cancer specialists per head of population are not appropriate since data may not always be recorded on the same basis. Neither is it appropriate to identify precise needs for numbers of consultants by specialty, because organisation of medical services varies between countries, and not all consultants in the relevant specialties treat cancer patients exclusively.

NHS Trusts

Mr. Cousins: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Darlington of 16 May, *Official Report*, column *318*, if she will itemise the trusts in the Northern and Yorkshire region in 1991-92 and 1992-93 and state their contribution to the total regional surplus.

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 16 May, *Official Report*, column *318*, if she will provide details of retained surpluses and deficits by individual trusts.

Mr. Sackville: The information will be placed in the Library.

Aborted Foetuses

Mr. Alton: To ask the Secretary of State for Health (1) what guidelines her Department issues regarding the use of live aborted foetuses in scientific experiments;

(2) how many experiments on live aborted foetuses have been sanctioned by ethics committees since 1968.

Mr. Sackville: We are not aware of any experiments on live foetuses ex utero. Any research carried out on a foetus —that is, after termination under the Abortion Act 1967 —is subject to the principles set out in the report "Review of the Guidance on the Research Use of Fetuses and Fetal Material" (Cm. 762), known as the Polkinghorne report. The report's code of practice is reproduced in the guidance issued to local research ethics committees. It stresses that issues relating to research or other use of the live whole foetus must be considered in a manner broadly similar to the way such issues are considered for children and adults.

Deoxyribonucleic Acid

Mr. Llew Smith: To ask the Secretary of State for Health what evaluation of the health implications of the location of the first European bank for deoxyribonucleic acid at Whitehaven has been conducted by her Department.

Mr. Sackville: There are no plans to evaluate the health implications of the location of the proposed bank for deoxyribonucleic acid at the Westlakes Research Institute at Whitehaven. Research undertaken following the establishment and subsequent use of this gene bank will be published in medical journals for peer review and comment.

Foetal Abnormality Survey

Mr. Mandelson: To ask the Secretary of State for Health what plans the Government have to ensure that, following the restructuring of health authority regions, the work of the Northern regional health authority regional foetal abnormality survey office is replicated in all areas of the country in support of the Office of Population Censuses and Surveys.

Mr. Sackville: This is a matter for the regional health authorities concerned.

Health Services

Ms Primarolo: To ask the Secretary of State for Health what representations she has had over local authorities taking over responsibility for commissioning health services.

Mr. Bowis: I refer the hon. Member to the reply I gave her on 11 January, *Official Report*, column *119*.

Surcharging

Ms Primarolo: To ask the Secretary of State for Health if she will consider introducing provisions to enable the surcharging of health authority members.

Dr. Mawhinney: No.

Public Bodies

Ms Primarolo: To ask the Secretary of State for Health (1) what proportion of members of *(a)* regional health authorities, *(b)* district health authorities, *(c)* family health service authorities and *(d)* trust boards are known to be members of patients' organisations;

(2) what proportion of members of *(a)* regional health authorities, *(b)* district health authorities, *(c)* family health service authorities and *(d)* trust boards are also members of local authorities.

Dr. Mawhinney: This information is not available centrally.

Ms Primarolo: To ask the Secretary of State for Health what proportion of members of *(a)* regional health authorities, *(b)* district health authorities, *(c)* family health service authorities and *(d)* trust boards are doctors, nurses or members of other health professions.

Dr. Mawhinney: This information is not available centrally in the form requested.

Patient Participating Groups

Ms Primarolo: To ask the Secretary of State for Health how many patient participation groups are currently operating.

Dr. Mawhinney: Information on patient participation groups is not available centrally.

Creutzfeldt Jakob Disease

Mr. Hinchliffe: To ask the Secretary of State for Health, pursuant to her answer of 16 May, *Official Report,* column *322-23,* what assessment has been made of evidence from Australia in respect of the transmission of Creutzfeldt Jakob disease through blood tranfusions.

Mr. Sackville: We understand that no evidence has been provided to the Australian authorities, despite several requests to support the claim associating Creutzfeldt Jakob disease and blood tranfusions.

Patient Co-operatives

Ms Primarolo: To ask the Secretary of State for Health if her Department has evaluated overseas experience of patient co-operatives.

Dr. Mawhinney: No.

Vulvectomy and Lymph Node Removal

Mr. Cousins: To ask the Secretary of State for Health if existing guidance to hospitals or clinicians allows for vulvectomy and lymph node removal to be carried out in the absence of biopsy reports.

Mr. Sackville: Clinical guidance is primarily the responsibility of the relevant professional bodies.

Patient Participation

Ms Primarolo: To ask the Secretary of State for Health what information her Department has on the experience of other countries in relation to patient participation.

Dr. Mawhinney: Departmental officials maintain awareness of initiatives involving patient participation in the United Kingdom and overseas to feed into policy development.

Nottinghamshire FHSA

Mr. Hoon: To ask the Secretary of State for Health what was the total funding for general medical services to Nottinghamshire family health services authority in 1993-94.

Mr. Sackville: Audited 1993-94 outturn data are not yet available.

AIDS Support Grant

Mr. Dowd: To ask the Secretary of State for Health how much each local authority has bid for AIDS support grant for 1994-95; and how much they were awarded.

Mr. SAckville: I refer the hon. Member to the reply I gave him on 26 April, *Official Report,* column *159.* Details of the indicative and final allocations will be placed in the Library.

Consultancy Work

Mrs. Dunwoody: To ask the Secretary of State for Health if she will list for each of the last five years, the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to her Department; and if she will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Sackville: For reasons of confidentiality, and in order to obtain value for money in the future, we are unable to list the specific costs of the consultancies concerned and the amounts paid as this would breach contractual agreements and jeopardise future value for money. The Department however, has spent the following amounts from running costs on consultancy since its establishment as a separate Department.

1990-91	£18,398,000
1991-92	£24,258,000
1992-93	£18,399,000
1993-94	£15,933,037

Information on national health service consultancy expenditure is not available centrally.

Continuing Care

Mr. Blunkett: To ask the Secretary of State for Health who determines where responsibility for funding continuing care arrangements for specific individuals lies; and if she will make a statement.

Mr. Bowis: Under the new community care arrangements local and health authorities are required to agree their respective responsibilities for long-term care.

Mr. Blunkett: To ask the Secretary of State for Health if she will issue new guidance on the provision of continuing care to clarify under what specific circumstances health authorities are expected to fund continuing care; and if she will make a statement.

Ms Primarolo: To ask the Secretary of State for Health what plans she has to issue comprehensive guidance to health authorities and providers on the responsibility of the NHS to pay for continuing care.

Mr. Bowis: Under the community care arrangements local and health authorities were required to agree their respective resonsibilities for long-term care. The implementation of the community care arrangements has been carefully monitored. The need for any clarification of health and local authority responsibilities is being kept under review.

Mr. Blunkett: To ask the Secretary of State for Health if she will make a statement on the responsibility of health authorities and local authorities when responsibility for funding continuing care is based upon reasons of ill health.

Mr. Bowis: The national health service is responsible for meeting needs for long-term healthcare. It is for local health purchasers to determine the level and type of services provided in the light of local needs, resources and clinical practice.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Health when she published her departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and to whom it has been made available.

Mr. Sackville: I refer the hon. Member to the reply I gave the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 29 April, *Official Report,* column *372.*

Immunisation

Mr. Llwyd: To ask the Secretary of State for Health what is the Government's policy on informing young people about their rights concerning immunisation; and if she will make a statement.

Mr. Sackville: Consent has to be obtained before any immunisation can be given.

The patients charter requires information to be given when treatment is proposed. In line with this, information prepared by the Health Education Authority, which is used by medical staff and provided to parents and teenagers, now contains more details about issues relevant to immunisation. The Health Education Authority produce a leaflet about rubella immunisation for distribution to teenage girls, copies of which will be placed in the Library. They are also developing leaflets for BCG immunisation and the soon to be introduced diphtheria/tetanus booster dose; this latter leaflet will also contain information about the school leavers polio booster dose.

Elderly People

Mr. Blunkett: To ask the Secretary of State for Health what action she plans to take on the report of the Royal College of Physicians, "Ensuring Equity and Quality of Care for Elderly People", a copy of which has been sent to her.

Mr. Bowis: This report is aimed primarily at professional national health service staff and managers. We welcome its publication as a further encouragement to high quality services for elderly people.

NHS Charters

Dr. Wright: To ask the Secretary of State for Health what specific form of compensation or redress is available under the provisions of the patients charter to *(a)* out-patients who have not been seen within specific appointment times and *(b)* patients for whom an operation is postponed twice, and yet are still not admitted within one month of the date of the second cancelled operation.

Dr. Mawhinney: Patients should be kept informed about the reasons for any delays or postponements in their treatment. A suitable apology should be offered in appropriate cases.

Dr. Wright: To ask the Secretary of State for Health which hospitals have adopted a policy of admitting a patient *(a)* within one month of the cancellation of an operation and *(b)* within two months of a second cancelled operation.

Dr. Mawhinney: All hospitals are implementing the policy reflected in the improved patients charter national standard which came into effect on 1 April 1994.

Dr. Wright: To ask the Secretary of State for Health how many FHSA and general practitioner charters have now been issued; and if she will list them.

Dr. Mawhinney: Every family health services authority has issued a charter and information from purchasers indicates that 38 per cent. of general practitioners practices have issued or are planning to issue a charter. The names of the individual general practices with charters are not available centrally.

Free Prescriptions

Mr. Pike: To ask the Secretary of State for Health in what situations patients on NHS treatment receive free from NHS hospitals *(a)* prescriptions including contact lenses and *(b)* use of equipment including nebulisers; and if she will make a statement.

Mr. Sackville: Contact lenses may be prescribed through the hospital eye service if the patient has a clinical need for them. Many patients are entitled to a hospital eye service voucher to cover the cost of lenses.

Where a consultant decides—taking account of resources, needs and clinical priorities locally—that a piece of equipment should be provided as part of the national health service treatment, it should be provided free of charge.

Clinical Psychology Services

Dr. Hampson: To ask the Secretary of State for Health what data are collected to inform the costing of general practice fundholders' contracts for clinical psychology services.

Dr. Mawhinney: General practitioner fundholders' budgets are based on previous treatment patterns in the practice, informed by local average treatment rates and local hospital prices. General practitioner fundholders are responsible for using their budget to purchase appropriate services to meet their patients' needs, including clinical psychology outpatient services.

Health Authorities

Mr. Blunkett: To ask the Secretary of State for Health how many district health authorities and family health services authorities currently share the same chief executive; and if she will list them.

Dr. Mawhinney: The list of district health authorities and family health services authorities with a joint chief executive has been placed in the Library.

Information Service

Dr. Wright: To ask the Secretary of State for Health how many calls have been logged since the establishment of the national health freephone information service; and if she will give details of the guidelines issued to staff governing advice given to callers seeking to complain about national health service services.

Mr. Sackville: The national health information service freephone telephone number, 0800 665544, has received 201,128 calls in the period between launch in January 1993 to the end of April 1994. Each health information service has a copy of the National Health Service (Service Committees and Tribunal) Regulations 1992 and HSG(92)21, copies of which are available in the Library. These documents, along with information about local procedures, contain the essential information to enable health information service personnel to advise callers how to make a complaint.

Mr. Richard Hughes

Mr. Alton: To ask the Secretary of State for Health what representations she has received about the case of Mr. Richard Hughes of 3 Erylmore road, Mossley Hill, Liverpool 18, concerning his removal from the practice list of his GP; what information will be disclosed to him as to the reasons for his removal; and what assessment she has made of the consistency of his treatment with her policy on the priority to be accorded to ex-service men with disabilities.

Dr. Mawhinney: The hon. Member wrote to my right hon. Friend the Secretary of State on 20 May 1994 about his constituent. He will receive a reply shortly.

Health Information

Dr. Wright: To ask the Secretary of State for Health how many health shops are currently under consideration; where they will be situated; and what are the projected costs.

Mr. Sackville: The national health service provides information to the public in many ways—nationally, through the national health information service, community health councils, family health services authorities and district health authorities. Decisions about drop-in health information centres are taken at a local level to address local need.

Smoking

Mr. Barron: To ask the Secretary of State for Health, pursuant to the oral statement by the Minister for Health of 11 February, *Official Report*, column 607, what is the timetable for launching the £12 million three-year anti-smoking advertising programme.

Dr. Mawhinney: Later this year.

Dental Practices

Mr. Pike: To ask the Secretary of State for Health how many NHS dental service practices there are in each health authority area at the latest date for which figures were available; and what were the comparative figures in *(a)* April 1992 and *(b)* June 1987.

Dr. Mawhinney: Information is not available centrally in the form requested.

Adoption

Mr. Llwyd: To ask the Secretary of State for Health what is her Department's policy on whether children who cannot live with their own family should have a choice about the language and culture of the family who adopt them.

Mr. Bowis: Under legislation, courts and adoption agencies are required so far as practicable to ascertain the wishes and feelings of the child and give due consideration to them, having regard to the child's age and understanding. This would include the language and culture of his proposed adoptive family.

Children Act 1989

Mr. Thurnham: To ask the Secretary of State for Health, when the second report to Parliament on the Children Act 1989 will be published.

Mr. Bowis: I am pleased to announce that my right hon. Friends the Secretary of State and the Secretary of State for Wales have laid before Parliament the second joint report to Parliament on the Children Act operation in England and Wales. Copies of the report have been placed in the Library.

The report gives an overview of the progress made and focuses on a wide range of issues. It is an encouraging picture confirming that the numbers of children looked after by local authorities, and on a child protection register continue to decline as local authorities respond positively to the intention of the Act that wherever possible children should remain at home with their families.

Rural Stress

Mr. Alex Carlile: To ask the Secretary of State for Health what specific measures she plans to take to aid in drawing farmers' attention to the help networks currently available to deal with rural stress and suicide; and if she will make a statement.

Mr. Bowis: Over the last year, this Department has helped to finance initiatives in rural areas to increase awareness of suicide and the sources of help that are available. The Department has made a grant of £50,000 per annum over three years from 1994-95 to help support the Samaritans' outreach programme, part of which will be focused on rural areas and agriculture. The Department also supported a conference on rural stress, entitled "Rural Stress—Positive Action in Partnership", which took place earlier this year.

Children at Risk

Ms Primarolo: To ask the Secretary of State for Health in what circumstances local authority social services departments may leave children on the at risk register without an assigned social worker.

Mr. Bowis: A named key worker shall be appointed for every child who is placed on the child protection register and for whom there is an inter-agency protection plan. Where there is no current named key worker for a child on the register, it is for the local authority to ensure that arrangements are made for the protection plan to be implemented and a key worker appointed.

Women-only Wards

Mr. Cox: To ask the Secretary of State for Health what is the policy of her Department in respect of allowing women when in an NHS hospital to be treated in a women-only ward if that is their wish.

Dr. Mawhinney: District health authorities and general practitioner fundholders are expected to assess the needs of the populations they serve in reaching purchasing decisions, and to reflect these in their contracts with hospitals. The privacy and dignity of all patients is assured through the patients charter, and hospitals should take account of patients' wishes wherever it is practicable to do so.

Eye and Dental Tests

Ms Primarolo: To ask the Secretary of State for Health what would be the cost to public funds of reintroducing *(a)* free eye tests and *(b)* free dental check-ups.

Dr. Mawhinney: Assuming that these changes led to no increase in the number of sight tests or dental examinations, each would cost some £60 million in a full year.

Foreign Patients

Ms Primarolo: To ask the Secretary of State for Health how many fee-paying patients from outside the United Kingdom received treatment in NHS hospitals in each of the last five years.

Mr. Sackville: This is a matter for individual trusts and health authorities.

Private Hospital Beds

Ms Primarolo: To ask the Secretary of State for Health (1) how many NHS beds have been converted to use by private patients in each of the last three years;

(2) how many NHS hospital trusts have had private patient units or wings in each of the last three years.

Mr. Sackville: These are local matters about which the Department does not collect information.

Nursery Education

Mr. Byers: To ask the Secretary of State for Health what is her Department's latest estimate of the number of places for under five-year-olds provided by *(a)* local authority day nurseries, *(b)* private day nurseries, *(c)* pre-school play groups and *(d)* child minders.

Mr. Bowis: I announced yesterday that it is estimated that, at 31 March 1993, there were 21,400 places in local authority day nurseries; 111,000 places in registered day nurseries; 396,900 places in pre-school play groups and 283,000 registered child minder places available[1] for use by the under fives.

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[1] Following implementation of the Children Act 1989, information about places with childminders has been collected for children aged under eight.

Maternity Units

Mrs. Ann Winterton: To ask the Secretary of State for Health if she will list all the maternity units in England; and what were the total numbers of deliveries in each case, for each of the last three years for which figures are available.

Mr. Sackville: A list of national health service trusts, directly managed units and special health authorities in England with maternity facilities, with the number of maternity beds in each, will be placed in the Library. Information on the number of deliveries in each could be provided only at disproportionate cost.

Health Visitors

Ms Primarolo: To ask the Secretary of State for Health what guidance has been issued to health authorities with regard to ensuring health visitor coverage in areas where local authorities fail to provide social work cover for all children on the at risk register.

Mr. Bowis: Government guidance requires each health authority to identify a senior nurse with a health visiting qualification to act as the co-ordinator of all aspects of child protection work in their district. Among their key activities is the setting up of an effective communication system with managers and practitioners in other disciplines and agencies, to ensure a regular update about work load, staffing, emergencies and individual cases.

Clinical Services

Ms Primarolo: To ask the Secretary of State for Health what assessment she has made as to which clinical services are not suitable to be contracted out of the NHS.

Mr. Sackville: It is for trusts, general practitioner fundholders and health authorities to determine the most appropriate options for the provision of services, including clinical services. Decisions are made on the basis of which source of provision, be it national health service, non-NHS or a combination of both, will provide the best quality of service for patients and cost effective use of NHS resources.

NHS Staff

Mr. Nicholas Winterton: To ask the Secretary of State for Health what information she has concerning the number of employees aged over 70 years who are currently allowed to continue to work within the national health service.

Dr. Mawhinney *[pursuant to his reply, 24 March 1994, c. 415]:* I regret that misleading information was given in my previous reply. Information submitted to the Department on the age of national health service staff under 20 and over 65 has been found to be inaccurate. The Department does not therefore hold reliable information about employees aged over 70 years.

Expenditure

Mr. Congdon: To ask the Secretary of State for Health pursuant to her answer to the hon. Member for Dulwich (Ms Jowell) of 12 April, *Official Report*, column 72, if she will give the figures for expenditure per capita for London for *(a)* district health authorities and *(b)* family health services authorities, including expenditure by the London postgraduate hospitals and special health authorities.

Mr. Luff: To ask the Secretary of State for Health how much is spent per capita by London district health authorities on health services and special health authorities for residents of (i) inner London and (ii) outer London and what is the national average expenditure per capita by district health authorities.

Dr. Mawhinney *[pursuant to his reply, 21 April 1994, c. 664-65]:* I regret that, because of typographical errors, my previous reply needs to be amended. The following table gives the correct figures:

	District health authority spend		*DHA spend including special health authorities*	
	Expenditure per capita £	*Percentage above national average*	*Expenditure per capita £*	*Percentage above national average*
Inner	553	47	603	57
Outer	398	6	415	8
Total London	460	22	490	28
Total England	376	—	384	—

Notes:

1. Inner London defined as in the report of the Enquiry into London's Health Services, Medical Education and Research (Tomlinson report).
2. SHA 1992-93 expenditure apportioned to DHAs based on analysis of district of residence of 1993-94 referrals.

Mr. Milburn: To ask the Secretary of State for Health what has been the size of surpluses generated by trusts in each year since 1990-91, by region.

Mr. Sackville *[pursuant to his reply, 16 May 1994, cols. 317-18]:* I regret that there were errors in my previous reply. An amended table follows.

Region	*Retained Surplus/(Deficit)*	
Northern	2,896	5,427
Yorkshire	3,100	2,962
Trent	153	4,622
East Anglian	1,075	533
North West Thames	6,145	17,220
North East Thames	7,249	13,165
South East Thames	1,082	9,597
South West Thames	5,303	4,001
Wessex	1,342	3,903
South Western	14,531	11,436
Oxford	104	4,356
West Midlands	2,932	4,177
Mersey	2,194	(749)
North Western	50	6,952

Notes to table:

1. *Source:* Audited accounts of NHS Trusts 1991-92 and 1992-93.
2. The figures for 1992-93 are provisional, being subject to National Audit Office review.
3. Surplus/(Deficit) is after interest, dividend payable on public dividend capital, extraordinary and exceptional items.

Mr. Milburn: To ask the Secretary of State for Health pursuant to her answer to the hon. Member for Dulwich (Ms Jowell) of 12 April, *Official Report*, column 72, if she will provide comparable per capita spending figures for each *(a)* district health authority and *(b)* family health services authority in England.

Dr. Mawhinney: The per capita spend (by crude population) in 1992-93 for district health authorities and family health services authorities in England will be placed in the Library. Comparisons of these per capita spend figures need to be treated with caution. First, not all the expenditure covered arises from population related activities. Secondly, crude populations do not reflect differences in age structure or relative health care need. These differences feature in the formulae used to inform the main allocations made to DHAs.

TREASURY

Parliamentary Counsel

Ms Lynne: To ask the Chancellor of the Exchequer on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

Sir John Cope: Parliamentary Counsel drafts not on behalf of private Members but on the instructions of Departments acting on the authority of Ministers. No amendments to private Members' Bills were drafted by Parliamentary Counsel on instructions from Treasury Ministers and subsequently passed to private Members.

Diesel Fuel Excise Duty

Mr. Jonathan Evans: To ask the Chancellor of the Exchequer what measures he is taking to enforce compliance with excise duties on diesel fuel in respect of diesel-powered vehicles on public roads.

Sir John Cope: Responsibility for the control of the illegal use of hydrocarbon oil which has not borne the full rate of excise duty is assigned to Customs and Excise. Control is carried out by 17 regional road fuel testing units, using mobile testing vehicles. Customs officers have the power to test the fuel of stationary diesel vehicles and by a series of simple visual and chemical tests can detect the presence of rebated diesel in the fuel tank of a vehicle.

Beer

Dr. Hampson: To ask the Chancellor of the Exchequer what are the most recent annual figures available for net *(a)* value added tax receipts and *(b)* excise receipts from beer.

Sir John Cope: In the calendar year 1993 *(a)* net VAT receipts from beer were around £1,600 million and *(b)* net excise receipts from beer were £2,230 million.

Paymaster General (Targets)

Mr. Burns: To ask the Chancellor of the Exchequer what key targets have been set for the office of Her Majesty's Paymaster General in 1994-95.

Sir John Cope: I have set demanding targets for the office of HM Paymaster General in 1994-95, but some details are commercially sensitive, The main features are:

Recovering Full Costs

1. recover through charges the full cost of running the Agency.

Reduction in Unit Costs

2. achieve at least a 3 per cent. reduction in real terms in the unit cost of paying a pension.

3. achieve a 3 per cent. improvement in the average unit cost index for banking transactions[1].

MEETING CUSTOMER REQUIREMENTS

Pensions

4. meet various targets for responding to correspondence and processing instructions in accordance with Service Level Agreements with individual customers.

5. meet quality targets in accordance with Service Level Agreements with individual customers.

Banking

6. meet transaction timetables in accordance with Service Level Agreements with individual customers.

7. meet quality targets for processing transactions in accordance with Service Level Agreements with individual customers.

Apex

8. meet the agreed timetable for sending financial information to the Treasury 95 per cent. of the time, and never exceed the timetable by more than 1 day.

[1] Banking transactions will be weighted as appropriate.

Building Societies Commission

Mr. Burns: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the court case involving the Cheltenham and Gloucester building society and the Building Societies Commission.

Mr. Nelson: The High Court is currently considering whether the details of Lloyds bank's scheme to take over the Cheltenham and Gloucester building society—including the payment of cash to Cheltenham and Gloucester members of less than two years' standing—are in conformity with the Building Societies Act 1986. It would be inappropriate for me to comment further on those issues until the Court has reached a decision.

AGRICULTURE, FISHERIES AND FOOD

Environmentally Sensitive Area Grants

Mr. Jopling: To ask the Minister of Agriculture, Fisheries and Food what are the latest uptake figures of the option to farmers to take the environmentally sensitive area grants in each area concerned, with the percentage of those eligible, together with the likely average payment to each farmer.

Mr. Jack: The percentages of eligible land under agreement or application and the average cost per agreement for the 22 English ESAs are given in the table. The number of farmers eligible for participation in each ESA scheme is not available.

ESA	*Eligible Area (ha)*	*Percentage of eligible area under agreement or applied for as at 30 April 1994*	*Average payment per agreement £*
Stage I			
Broads[1]	24,000	63	3,430
Pennine Dales	39,100	68	3,990
Somerset levels and moors	25,900	51	2,240
South Downs[1]	51,700	21	6,830
West Penwith	6,900	89	2,290
Stage II			
Breckland[1]	51,600	9	5,630
Clun[1]	18,900	72	3,500
North Peak	50,500	86	15,940
Suffolk River Valleys[1]	32,600	27	2,900
Test Valley[1]	3,300	30	3,050
Stage III			
Avon Valley[1]	3,800	19	1,960
Exmoor	67,700	55	2,300
Lake District	219,300	50	4,040
North Kent Marshes[1]	11,600	36	10,460
South Wessex Downs[1]	38,300	48	3,840
South West Peak	27,000	54	2,030
Stage IV[2]			
Blackdown Hills	32,200	0·10	330
Cotswold Hills[1]	66,100	4	3,280
Dartmoor	89,000	0·02	610
Essex Coast[1]	23,000	1	3,560
Shropshire Hills	34,900	10	1,600
Upper Thames Tributaries[1]	18,000	2	5,070

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[1] The figures for eligible area in these ESAs contain arable land which is eligible to enter the scheme if reverted to grass. It is not expected that a high proportion of such land will enter the scheme.

[2] The figures for uptake in these ESAs cover only the first six weeks of the initial application period.

Portable Telephones

Mr. Vaz: To ask the Minister of Agriculture, Fisheries and Food pursuant to her answer of 12 May, *Official Report,* column *201,* what was the expenditure on *(a)* service rental and *(b)* call charges for portable telephones.

Mr. Jack: The expenditure, excluding VAT, incurred on 1,200 portable telephones for 1993-94 by the Ministry and its associated executive agencies, was as follows:

	£
(a) on Service Rental	228,348
(b) on Call Charges	110,507

Beef Special Premium Scheme

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food what steps she is taking within the Council of Ministers to resolve beef special premium scheme distortions for 1993.

Mr. Jack: In March 1994 we were able to secure the European Commission's agreement to a technical adjustment to the scaling back of 1993 beef special premium claims necessary because the number of claims in 1993 exceeded our regional ceiling. In England and Wales, this adjustment added about £2·50 to the average payment per 1993 beef special premium claimed and about £1·25 to the average payment per extensification premium. Given the increase in total payments under the 1993 scheme compared with previous years, and the very good market prices for beef in 1993, there is no justification for any further adjustments to the scaling back for 1993.

Cattle and Pigs

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food what steps she is taking to resist changes to EC directive 64/432 on trade in cattle and pigs.

Mr. Soames: The Government support the principle of removing unnecessary barriers to trade and support the initiative taken by the Commission in drafting a proposal to consolidate and amend directive 64/432/EEC with a view to facilitating trade. During negotiations on the proposed amendments to the directive, the Government will aim to ensure that the individual provisions are carefully assessed, do not increase the risk of disease being spread between member states and are not unnecessarily onerous on industry.

Channel Tunnel (Livestock)

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food what further measures are planned to monitor the movement of livestock through the channel tunnel; and if she will make a statement.

Mr. Soames: The channel tunnel operator, Eurotunnel, has informed the Ministry that its policy remains one of not carrying live animals, including farm livestock and horses, through the tunnel. The state veterinary service will monitor the tunnel in the same way as other south coast ports.

Bovine Spongiform Encephalopathy

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many cases of BSE have been confirmed in the United Kingdom since November 1986.

Mrs. Gillian Shephard: Since November 1986 and up to 13 May 1994, 128,879 cases of BSE have been confirmed in the United Kingdom.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the total of confirmed cases of BSE in the United Kingdom in animals born after the ruminant feed ban.

Mrs. Gillian Shephard: As at 10 May 1994, 9,928 cases of BSE have been confirmed in Great Britain in animals born after the ruminant feed ban which came into operation on 18 July 1988. Some 39 cases have been confirmed in Northern Ireland in animals born after the ruminant feed ban which came into operation on 11 January 1989.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many United Kingdom farms have had at least one confirmed case of BSE, since November 1986.

Mrs. Gillian Shephard: Since November 1986 and up to 13 May 1994, 31,395 farms in the United Kingdom have had at least one confirmed case of BSE.

Farming

Dr. Strang: To ask the Ministry of Agriculture, Fisheries and Food what assessment she has made of the adequacy of the current arrangements for funding direct support payments to new entrants to farming; what consideration she is giving to introduce greater flexibility; and if she has raised these matters with her European counterparts.

Mrs. Gillian Shephard *[holding answer 25 May 1994]:* Current arrangements for funding direct support payments to new entrants to farming are, in the main, adequate given the complexity of the schemes concerned and the need to maintain the integrity of the integrated administration and control systems as an anti-fraud measure. However, I recognise that there are anomalies in the case of livestock farmers acquiring land after the IACS deadline because they cannot benefit from the IACS related livestock subsidies in that year. Officials are currently discussing with the European Commission whether it might be possible to allow transfer to take place in some clearly defined circumstances, provided proper controls were in place to prevent fraud.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food (1) what measures are presently in place to ensure that new entrants coming to farming after the deadline for the submission of IACS forms are not deprived of payments for the period up to the deadline in the following year; and what is the reason for these measures;

(2) what scope there is to provide new entrants coming to farming after 15 May with direct headage payments in respect of the period before the IACS year beginning May 1995.

Mrs. Gillian Shephard *[holding answer 25 May 1994]:* An IACS form is not required from farmers wishing to claim under the Sheep Annual Premium Scheme, or up to 15 livestock units under the beef special premium and suckler cow premium schemes provided they do not wish to receive the extensification premium. We are considering what arrangements should be made for hill livestock compensatory allowances in 1995 and will shortly be consulting the industry on proposals. The Council regulation establishing the arable area payments scheme specifically requires applications for payment to be submitted by 15 May and it is not possible for a new entrant to claim such payments retrospectively.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food in what circumstances it is a condition for direct support payments that a new entrant takes up occupancy of the farm on which the claim is to be based before the deadline for submission of IACS forms.

Mrs. Gillian Shephard *[holding answer 25 May 1994]:* In order to be eligible for arable area payments, beef special premium, suckler cow premium or hill livestock compensatory allowances, each farmer must submit annually an IACS form, including all of the land farmed, by the deadline. EC rules provide limited exemptions from this requirement for livestock farmers who wish to claim no more than 15 livestock units under the beef special premium or suckler cow premium schemes and do not wish to claim the extensification premium.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what provision exists for new entrants to give forewarning of the intention to assume occupancy of a farm after the annual closing date for submission of IACS forms in order to secure annual payments adjusted to reflect the period when the farmer is in actual occupation.

Mrs. Gillian Shephard *[holding answer 25 May 1994]:* There are no specific provisions dealing with these circumstances.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what flexibility EC laws allow with regard to setting the date for submission of IACS forms to give entitlement to new entrants coming to farming after the last date for submitting claims.

Mrs. Gillian Shephard *[holding answer 25 May 1994]:* The EC rules require IACS forms to be submitted by 31 March. The Commission may allow a member state to set a later date, up to 15 May, if it is satisfied that this still allows proper checks to be carried out. In the United Kingdom, we have applied the latest possible date of 15 May. In circumstances where the IACS form relates only to permanent pasture, a member state may decide that it can be submitted at the same time as the first livestock application, but not later than 1 July.

EDUCATION

Local Management of Schools

Mr. Don Foster: To ask the Secretary of State for Education if he will list the schools, by local education authority, that had not had their budgets delegated under local management of schools schemes by *(a)* 1 January and *(b)* 1 April; and if he will express the number of such schools as a percentage of all schools.

Mr. Forth: The precise information requested could be provided only at disproportionate cost. We estimate that something over 1,000 county and voluntary schools did not have delegated budgets on 1 January 1994. All primary and secondary schools have had delegated budgets from 1 April 1994 except in a few cases where delegation has been withdrawn or deferred by the LEA. All special schools are due to have delegated budgets by 1 April 1996 although many will have them at an earlier date.

Mr. Don Foster: To ask the Secretary of State for Education with whom the responsibility lies for deciding whether to *(a)* hire a teacher, *(b)* carry out a repair and *(c)* replace items of furniture in schools with delegated budgets under the local management of schools.

Mr. Forth: Within the resources available to it, the governing body of a school with a delegated budget is responsible for determining the school's staff complement and selecting teachers for appointment. The local education authority, except in the case of aided schools, whose staff are normally employed by the governors, must appoint the persons selected unless they fail to fulfil any of the statutory requirements relating to qualifications, health and physical capacity or conduct. The respective responsibilties of governing bodies and LEA for building repairs and maintenance will depend on the terms of the LEA's LMS scheme, although governors will normally be responsible at least for internal decoration and other work of a non-structural kind. In the particular case of voluntary-aided and special agreement schools, repairs to the exterior of the buildings are the statutory responsibility of governors, who may apply for grant aid from the Secretary of State. Furniture for an LEA's schools will in general be provided by the LEA through its capital programme, but governing bodies are free to make purchases with funds from their delegated budgets if they so wish.

Nursery Education

Mr. Byers: To ask the Secretary of State for Education how many children under the age of five years were attending on *(a)* a full-time basis and *(b)* a part-time basis (i) nursery classes, (ii) nursery schools or (iii) reception classes in primary school on the latest date for which information is available.

Mr. Robin Squire: The number of full-time and part-time pupils under five in maintained nursery and primary schools in England in January 1993 is shown in the table.

Pupils under five being attending maintained nursery and primary school in England—January 1993

	Full-time	*Part-time*
Nursery Schools	9,461	43,527
Primary Schools		
Nursery Classes	27,307	259,619
Infant Classes	289,481	26,798

Primary Schools

Mr. Don Foster: To ask the Secretary of State for Education what was the local education authority's central costs percentage for a primary grant-maintained school in Solihull in 1993-94; what is the equivalent figure for 1994-95; and in how many local education authorities the proportionate change from 1993-94 to 1994-95 has been *(a)* greater and *(b)* smaller than in Solihull.

Mr. Robin Squire: The central percentage addition applying in 1993-94 for a primary grant-maintained school formerly maintained by Solihull local education authority was 15·6 per cent. The comparable figure applying to a grant-maintained primary school in Solihull in 1994-95 is 7·0 per cent. The proportionate change between 1993-94 and 1994-95 was greater than that applying in Solihull in two local education authorities, and smaller in 105 local education authorities.

The Funding Agency for Schools is recalculating the relevant percentages for 1994-95 on the basis of LEAs' expenditure plans for the current financial year. As a result of their consideration, the percentages applying in some local education authorities this year may increase.

School Statistics

Mr. Byers: To ask the Secretary of State for Education, pursuant to his answer of 19 May, *Official Report*, column *547*, if he will give *(a)* the provisional full-time equivalent teacher numbers for (i) nursery and primary schools and (ii) secondary schools as at January 1994 and *(b)* the provisional pupil numbers in (i) nursery and primary schools and (ii) secondary schools as at January 1994 giving the figures both for local education authorities and grant-maintained schools.

Mr. Robin Squire: The information is as follows:

An estimated breakdown between primary and secondary of the provisional full-time equivalent numbers of teachers employed in the maintained sector, including self-governing (GM) schools. England—January 1994

	Thousands
Nursery and primary	197·6
Secondary	193·3
TOTAL	390·9

Projected full-time equivalent numbers of pupils in maintained schools, including self-governing (GM) schools. England—January 1994

	Thousands
Nursery and primary	4,120·7
Secondary	2,932·3
TOTAL	7,053·0

Grant-maintained Schools

Mr. Don Foster: To ask the Secretary of State for Education if he will list the number of schools holding opt-out ballots, the number of yes votes and the total percentage of parents voting yes and total percentage voting no in *(a)* October 1993, *(b)* November 1993, *(c)* December 1993, *(d)* February 1994, *(e)* March 1994 and *(f)* April 1994.

Mr. Robin Squire: The information requested is set out in the following table:

Parental ballots on grant maintained status

	Number of schools balloting	*Number of Yes ballots*	*Total percentage of parents voting Yes*	*Total percentage of parents voting No*
October 1993	16	13	67	33
November 1993	36	22	59	41
December 1993	40	28	56	44
January 1994	18	16	68	32
February 1994	30	16	48	52
March 1994	39	23	52	48
April 1994	26	12	49	51

Mr. Byers: To ask the Secretary of State for Education what plans he has to offer financial assistance to those people or organisations who wish to promote new grant-maintained schools under section 49 of the Education Act 1993.

Mr. Robin Squire: The Department has no plans to offer financial assistance to promoters of new grant-maintained schools proposed under section 49 of the Education Act 1993.

Mr. Don Foster: To ask the Secretary of State for Education how many people requested further information, in response to his Department's advertising campaign for grant-maintained status during January and February, by *(a)* phoning the number given on the coupon in the advertisements and *(b)* returning the coupon.

Mr. Robin Squire: The Department's GM publications centre received 3,913 requests for information between Janaury and the end of April. Of these, 996 calls to the freephone number are known to be attributable to the advertisements, as are the 1,177 coupons returned.

Mr. Don Foster: To ask the Secretary of State for Education what were the criteria set by his Department for placing advertisements in national newspapers to promote the availability of information on grant-maintained status; and what was the estimated readership of the advertisements.

Mr. Robin Squire: The advertising campaign was designed to alert schools, governors and parents to the availability of factual information on grant-maintained status. It was timed to coincide with the introduction of the new statutory requirement that the governing bodies of schools should consider each year whether to ballot parents on applying for grant-maintained status. The newspapers where advertisements were placed were chosen because they enjoy a high level of readership among those likely to have an active interest in education.

It is not possible to estimate the readership of the advertisements themselves. However, the official Audit Bureau of Circulation estimated daily readership figures for the titles used during the campaign as follows:

	Number
Guardian	1,457,000
Independent	1,148,000
Mail on Sunday	5,999,000
Observer	1,619,000
Radio Times	5,433,000
Sunday Times	3,538,000
Times Educational Supplement	530,000

Parliamentary Counsel

Ms Lynne: To ask the Secretary of State for Education on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

Mr. Forth: Parliamentary Counsel drafts not on behalf of private Members but on the instructions of Departments acting on the authority of Ministers. On one occasion, in respect of the Civil Rights (Disabled Persons) Bill, Department for Education Ministers agreed that instructions should go to Parliamentary Counsel for an amendment to a private Member's Bill, with the intention that this should be tabled by the Government. That amendment was subsequently passed to a private Member.

TRADE AND INDUSTRY

Copyright Tribunal

Sir Thomas Arnold: To ask the President of the Board of Trade how many references or applications have been heard by the Copyright Tribunal under its present rules of procedure.

Mr. McLoughlin: Eight references or applications have been heard by the tribunal under its present rules of procedure introduced in 1989 and amended in 1991 to take account of extension of the jurisdiction of the tribunal by the Broadcasting Act 1990. These cases have been of differing complexity and, in consequence, the length of hearings has varied from one day to several weeks, in two cases involving multiple applications and relating respectively to the use of TV listings information by newspapers and magazines and to the broadcasting of sound recordings by independent radio stations. Five further cases were resolved before reaching a hearing, although the tribunal made orders with the consent of the parties in two of these, and five cases are pending.

Sir Thomas Arnold: To ask the President of the Board of Trade how many questionnaires were sent out, and how many completed questionnaires were received by the Patent Office in respect of the consultation into the functioning of the Copyright Tribunal; and if he will make a statement.

Mr. McLoughlin: Some 98 questionnaires seeking views on the functioning of the tribunal were sent out to those who have been involved in tribunal proceedings, including both users of copyright works and copyright owners, and other interested parties, and 30 replies were received. My Department is in the process of analysing these responses, and I will consider in the light of this analysis whether any changes in tribunal procedures are desirable.

British Aerospace (Sales)

Ms Corston: To ask the President of the Board of Trade what representations he has made concerning the sale by British Aerospace of its space systems business to Matra Marconi Space; and if he will make a statement.

Mr. McLoughlin: Officials from the British National Space Centre regularly discuss current issues with companies in the space sector, including Matra Marconi Space and British Aerospace (Space Systems). Many of these discussions are of a commercially confidential nature.

Motor Vehicle Sales

Mr. Etherington: To ask the President of the Board of Trade what plans he has to review consumer protection legislation relating to the sale of used motor vehicles.

Mr. McLoughlin: My Department has issued a consultation document on possible amendments to the law relating to transfer of title on the sale of goods, including the provisions in the Hire Purchase Act 1964 concerned with the sale of motor vehicles subject to a hire purchase or conditional sale agreement.

Mr. Etherington: To ask the President of the Board of Trade what steps he proposes to take to strengthen consumer protection legislation regarding warranty offers on used motor vehicles.

Mr. McLoughlin: None. It is for the seller to decide what warranty, if any, he offers on the goods he sells.

Mr. Etherington: To ask the President of the Board of Trade when he last met representatives of the motor vehicle industry to discuss motor vehicle warranty deals and the protection of consumer rights in motor vehicle sales.

Mr. Heseltine: Representatives of the industry have not had formal discussions with me on this subject. My last official meeting with the Retail Motor Industry Federation was in January 1993. A number of subsequent meetings with other Ministers and senior officials have taken place, on a range of issues, as part of the Government's continuing dialogue with leading representatives of the motor vehicle sector.

Competition

Mr. Etherington: To ask the President of the Board of Trade when his departmental officials last met representatives of the European Commissioner responsible for competition to discuss the application by Pallion Engineering Ltd., Sunderland, to accept an in-house ship repair contract from its majority shareholder.

Mr. Sainsbury: My officials last met representatives of the European Commission about Pallion on 9 February 1994.

Insolvency Acts

Mrs. Fyfe: To ask the President of the Board of Trade if he will make it his policy to seek to amend the Insolvency Act 1986 so as to make it possible for creditors who do not have substantial funds to raise court action through the liquidator in cases of alleged fraudulent trading or wrongful trading.

Mr. Neil Hamilton: I have no plans to do so. It is a matter for those who stand to benefit in individual cases to provide the funds to take such actions.

Mr. Deva: To ask the President of the Board of Trade what action he intends to take following the enactment of the Insolvency Act 1994, regarding the position of receivers or managers who are not administrative receivers and their liability under contracts of employment they may adopt.

Mr. Neil Hamilton: The Government wish to learn the views of interested parties on whether it would be appropriate to extend the restrictions that the Insolvency Act 1994 introduced in relation to liability under contracts of employment adopted by administrators and administrative receivers and receivers in Scotland, to other receivers or managers.

During the passage of the Bill I indicated that extending its provisions to other receivers or managers would go beyond the Bill's narrow purpose and that such a step would need careful consideration. Interested parties are therefore invited to submit their views on this issue to The Insolvency Service (Policy Unit) at PO Box 203, 21 Bloomsbury street, London WC1B 3QW, by 15 August 1994.

Toxic Waste and CFCs

Dr. Lynne Jones: To ask the President of the Board of Trade what are the implications of the latest general agreement on tariffs and trade agreement for restrictions in the trade in *(a)* toxic waste or *(b)* chlorofluorocarbons.

Mr. Needham: The GATT Uruguay round agreement has no implications for restrictions on trade in toxic waste or CFCs.

Coal Research Establishment

Mr. Nigel Jones: To ask the President of the Board of Trade if he will list for each year since 1986 the amount of investment made by the Government into the Coal Research Establishment.

Mr. McLoughlin: The annual investment by the Government into the Coal Research Establishment is as follows:

Government funding of CRE related activities—£ million (1994 prices)

Year	£ million
1986-87	1·7
1987-88	0·6
1988-89	0·2
1989-90	3·4
1990-91	11·7
1991-92	4·9
1992-93	1·7
1993-94	5·2

Note:

The monies shown represent Government contributions to:
The Grimthorpe research and development project.
The Point of Ayr coal liquefaction research and development project.
Contracted research and development in the fields of generic science and advanced power generation.
Projects paid for by the know-how fund.
Other ad hoc income from Government.

Investment for subsequent years up to 1997 totals £7·6 million for contracts already in place between CRE and DTI.

Cigarettes

Mr. Redmond: To ask the President of the Board of Trade (1) what research his Department is currently taking in respect of the production and manufacturing of cigarettes that are less of a fire hazard; and if he will make a statement;

(2) if he will list the current documents and research material his Department holds on the production and manufacture of cigarettes that are less of a fire hazard; what has been the result of his talks with the tobacco trade on producing safer cigarettes; and if he will make a statement.

Mr. McLoughlin: My Department is in liaison with other Government Departments with an interest in the production of fire-safe cigarettes in order to assemble a body of research material. A list of documents has been placed in the Library of the House.

I have not held talks with the tobacco industry on this matter. I am currently monitoring events relating to proposed legislation concerning fire-safe cigarettes which is under discussion in the United States.

Energy-saving Initiatives

Mr. Robert Ainsworth: To ask the President of the Board of Trade what is his current policy in respect of gas consumers paying a levy to fund energy-saving initiatives; and if he will make a statement.

Mr. Heseltine: The Government regard recent changes in the price control formulae of gas and electricity as welcome steps in promoting energy efficiency.

Chapter 8 of the joint DTI/Ofgas consultation document "Competition and Choice in the Gas Market" sets out proposals and options for further steps to promote the efficient use of gas in the new competitive gas market.

Defence Industry Exports

Mr. Worthington: To ask the President of the Board of Trade what percentage of exports from defence industries are currently sent to developing countries; what is their value; and how the position has changed in cash and percentage terms in the past five years.

Mr. Needham: The information is provided in the table.

United Kingdom Exports of Defence Equipment to Developing Countries[1]

	1988	*1989*	*1990*	*1991*	*1992*
Value (£ million)	957	1,938	1,584	1,440	1,156
Per cent. of total exports	70	80	80	77	77

Note:

[1] All countries excluding NATO and Western Europe.

Source: United Kingdom Defence Statistics, (HMSO).

Sandwell Borough Council

Dame Angela Rumbold: To ask the President of the Board of Trade what representations he has received about pre-stamping plastic capacity measures by Sandwell borough council; what steps he is taking to correct this anomaly; and if he will make a statement.

Mr. Neil Hamilton: I have received representations from two plastic capacity measure manufacturers about the stamping of measures before they have been tested, a practice which appears to be acceptable to Sandwell metropolitan borough council.

I have it in mind to make use of the powers proposed by clauses 1-4 of the Deregulation and Contracting Out Bill, once enacted, to amend the Weights and Measures Act 1985, so as to make pre-stamping lawful in defined circumstances and subject to prescribed conditions.

Nuclear Co-operation Agreement

Mr. Llew Smith: To ask the President of the Board of Trade what information he has regarding the current negotiations between the European Commission and the United States Government in regard to the extension and revision of the United States—Euratom nuclear co-operation agreement.

Mr. Needham: Negotiations are continuing on a new nuclear co-operation agreement to replace the existing agreement between the European Atomic Energy Community and the United States. The European Commission is responsible for the conduct of the negotiations. I am advised that the next negotiating meeting is scheduled to take place in June.

Manufacturing Statistics

Mr. Worthington: To ask the President of the Board of Trade what has been the percentage change in *(a)* manufacturing output and *(b)* manufacturing productivity in Britain and each of the European Union countries, Japan and the United States since 1979.

Mr. Sainsbury: The information available is given in the table:

Growth in manufacturing output and manufacturing productivity (output per head) between 1979 and 1993

	Percentage change *Output*	*Productivity*
Belgium	17	n/a
Denmark	n/a	n/a
France	1	30
West Germany	14	15
Greece	−1	n/a
Ireland	n/a	n/a
Italy	12	32
Luxembourg	34	n/a
Netherlands	27	n/a
Portugal	41	n/a
Spain	n/a	n/a
United Kingdom	5	66
Japan	43	26
United States	38	63

Sources: CSO/OECD.
Notes:
n/a=Not available on a comparable basis.

Consultants

Mr. Cousins: To ask the President of the Board of Trade, pursuant to his answer to the hon. Member for Darlington (Mr. Milburn) of 16 May, *Official Report*, columns *302-4*, if he will distinguish in the case of the Laboratory of the Government Chemist, the National Physical Laboratory, the National Engineering Laboratory and the National Weights and Measures Laboratory between consultancy used for management advice, consultancy used for marketing advice, and consultancy used for technical advice.

Mr. Heseltine: I have asked the chief executive of the agencies concerned to reply to this question, as it falls into the category of day-to-day operational matters.

Letter from R. D. Worswick to Mr. Jim Cousins, dated 26 May 1994:

I have been asked to answer with respect to the Laboratory of the Government Chemist your question to the President of the Board of Trade, pursuant to his Answer to the honourable Member for Darlington of 16 May, Official Report, columns 302-4, requesting that he distinguish between consultancy used for management, marketing and technical advice.

Over the last five years (up to and including 1993-94) the Laboratory of the Government Chemist has let two consultancy contracts for management advice at a cost of £32,000; two for marketing advice at a cost of £44,000 and 9 for technical advice at a cost of £366,000.

Letter from W. Edgar to Mr. Jim Cousins dated 26 May 1994:

I would refer to your question to the President of the Board of Trade, requesting that he distinguish in the case of the DTI Research Establishments between consultancy used for management advice, marketing advice and technical advice.

The split of consultancy costs over the past five years for the National Engineering Laboratory is:

	£
Marketing	222,582
Management	119,541,
Technical	18,324
TOTAL	360,447

Letter from Seton Bennett to Mr. Jim Cousins, dated 26 May 1994:

I have been asked to reply in respect of this Agency, to your recent question to the President of the Board of Trade concerning the nature of consultancy contracts let in the last five years.

All of the consultancy contracts let by the National Weights and Measures Laboratory between April 1989 and March 1994 were for management advice.

Letter from P. B. Clapham to Mr. Jim Cousins, dated 26 May 1994:

I am writing in respect of the National Physical Laboratory in response to your question to the President of the Board of Trade asking for a breakdown of consultancy contracts let by the DTI Laboratories.

Of the 82 consultancies referred to in my letter of 16 May 1994 to Mr. Alan Milburn MP, 7 were for consultancy used for marketing advice, at a total cost of £151,267 excluding VAT. The other 75, at a total cost of £1,321,058 excluding VAT, related to management advice in the widest sense. (This goes considerably wider than "management consultancy" as generally understood and includes, for example, software development in connection with new financial management information systems.)

"Technical consultancy" is not included in these figures, but is subsumed within the wide range of extra-mural research, technical and other assistance which NPL commissions in connection with its scientific programmes.

Pyramid Selling

Ms Harman: To ask the President of the Board of Trade if he will make a statement about the adequacy of Government measures on pyramid selling.

Mr. McLoughlin: The legislation controlling pyramid selling and similar trading schemes has been criticised on a number of grounds. We intend to consult soon on specific proposals to amend both the primary legislation and the current regulations.

World Trade Organisation

Dr. Lynne Jones: To ask the President of the Board of Trade what will be the procedure by which the GATT council adopts reports produced by the dispute settlement panel.

Mr. Needham: The process by which panel reports are adopted will change under the World Trade Organisation, when responsibility for adoption will move from the council to the dispute settlement body. To allow members of the World Trade Organisation dispute settlement body time in which to consider panel reports, reports will not be considered by the body until 20 days after issue to members. Reports will be adopted by a meeting of the body within 60 days of issue, unless one of the parties to the dispute notifies its intention to appeal or unless all members of the body agree not to adopt.

Dr. Lynne Jones: To ask the President of the Board of Trade what will be the criteria for selecting members of the panel of experts who will comprise the dispute settlement body of the World Trade Organisation.

Mr. Needham: The dispute settlement body will consist of representatives of the members of the World Trade Organisation.

Panelists shall be well-qualified individuals who have served on or presented a case to a panel; served as a representative of a World Trade Organisation member or of a contracting party to GATT or as a representative to a council or committee of any covered agreement or its predecessor agreement, or in the World Trade Organisation secretariat; taught or published on international trade law or policy; or served as a senior trade policy official of a member. They shall be selected with a view to ensuring that the panel has independence, a sufficiently diverse background and a wide spectrum of experience. Citizens of members of the World Trade Organisation whose Governments are parties to the dispute or third parties shall not serve on a panel connected with that dispute, unless the parties to the dispute agree otherwise.

Dr. Lynne Jones: To ask the President of the Board of Trade what is the selection criteria for members of the appeal board of the dispute settlement body.

Mr. Needham: The understanding on dispute settlement stipulates that members of the appellate body of the dispute settlement body shall be persons of recognised authority, with demonstrated expertise in law, international trade and the subject matter of the covered agreements. They shall be unaffiliated with any Government, although the body's membership shall be broadly representative of the WTO's membership. They shall be available at all times and at short notice, and shall stay abreast of dispute settlement and other relevant WTO activities. They shall not participate in consideration of disputes that would create a direct or indirect conflict of interest.

Dr. Lynne Jones: To ask the President of the Board of Trade what special assistance will be available from the GATT secretariat for developing countries in mounting or defending dispute settlement cases.

Mr. Needham: Under the present GATT, the secretariat may make available a qualified legal expert from its technical co-operation services at the request of any developing country involved in a dispute settlement panel. This will continue under the World Trade Organisation.

Dr. Lynne Jones: To ask the President of the Board of Trade what is the relationship between a collective view adopted by the GATT council on a trade issue and *(a)* domestic or *(b)* EU legislation pertinent to that trade issue.

Mr. Needham: There is no direct relationship between the collective view of the GATT council and the legislation of the United Kingdom or the European Union. With the exception of notification requirements, GATT rules do not lay down what governments must do. Although it is possible for the GATT council to take decisions to change GATT rules, contracting parties which do not accept such changes cannot be obliged to accept them.

Where GATT dispute settlement panels find that a measure of an individual contracting party breaches GATT obligations, that contracting party may bring its measure into conformity with GATT rules; offer compensatory market access; or accept retaliatory withdrawal of market access. This position will be unchanged under the agreement establishing the World Trade Organisation.

Dr. Lynne Jones: To ask the President of the Board of Trade how signatories of the GATT agreement will be able to bring about changes in *(a)* the membership of the dispute settlement body or *(b)* the panel of experts of the dispute settlement body of the World Trade Organisation.

Mr. Needham: The dispute settlement body shall be convened by the general council of the World Trade Organisation and will have the same membership as the general council, that is, representatives of all members of the World Trade Organisation. It will be for individual members to determine who their representatives shall be.

Members of the World Trade Organisation may periodically suggest names of individuals for inclusion on the World Trade Organisation secretariat's list of potential panelists, and their names shall be added to the list upon approval by the dispute settlement body.

Dr. Lynne Jones: To ask the President of the Board of Trade what are the time limits under which the dispute settlement process under the World Trade Organisation will operate.

Mr. Needham: The understanding on dispute settlement envisages a number of stages in the dispute settlement process, most of which are time-limited and some of which are optional. However, after the initial period of consultations, unless otherwise agreed by the parties to the dispute, the period from establishment of a panel by the dispute settlement body until the body considers the panel or appellate report for adoption shall not exceed nine months where the report is not appealed or 12 months where the report is appealed.

Dr. Lynne Jones: To ask the President of the Board of Trade if he will list the British contributions to the GATT for each of the last 10 years.

Mr. Needham: The United Kingdom's contributions to the GATT have been, in Swiss francs:

	Swiss francs
1994	5,748,978
1993	5,575,393
1992	5,454,835
1991	4,939,530
1990	4,761,920
1989	4,057,044
1988	3,587,324
1987	3,599,990
1986	3,842,740
1985	4,333,550
1984	3,944,460

Dr. Lynne Jones: To ask the President of the Board of Trade if he will outline the appeals procedure by which a contracting party to the GATT agreement may appeal against a collective view adopted by the GATT Council arising from a dispute settlement panel report.

Mr. Needham: There is no appeals procedure under the existing GATT. Under the World Trade Organisation, within 60 days of issuance of a dispute settlement panel report, the dispute settlement body shall adopt the report unless it agrees by consensus not to do so, or if a party has notified its intention to appeal. Appeals shall be limited to issues of law covered in the panel's report and legal interpretation developed by the panel. Three members of the appellate body shall hear each case. In general, the appellate body should issue its decision no more than 60 days after a party to a dispute notifies its intention to appeal. In no case shall proceedings exceed 90 days.

The appellate body's report shall be adopted by the dispute settlement body and unconditionally accepted by the parties to the dispute within 30 days of the issuance of the report to dispute settlement body members, unless the body decides by consensus not to do so.

Insolvency Service

Mr. Campbell-Savours: to ask the President of the Board of Trade on what date *(a)* he or *(b)* his officials were first made aware of interest being expressed by citizens of Russia or other east European states in the purchase of operations of the Insolvency Service.

Mr. Heseltine: My officials and I are unaware of any such interest.

Mr. Campbell-Savours: To ask the President of the Board of Trade on what date a summary of the Stoy Hayward report on the Insolvency Service was made available to *(a)* the trade unions, *(b)* Insolvency Service staff, *(c)* the DTI Library and *(d)* the Library of both Houses.

Mr. Heseltine: A summary of the Stoy Hayward report on the Insolvency Service was made available to the Library of both Houses on 7 February 1994, to Insolvency Service staff and the trade unions on 8 February and to the DTI Library on 9 February.

Official Receivers

Mr. Campbell-Savours: To ask the President of the Board of Trade on what dates representatives of his Department met representatives of Stoy Hayward to discuss matters relating to official receivers.

Mr. Heseltine: In the course of both the first study carried out by them and the current feasibility study, Stoy Hayward will have been in almost daily contact with representatives of my Department, principally with officials in the Insolvency Service.

Mr. Campbell-Savours: To ask the President of the Board of Trade, pursuant to his answer of 23 May, *Official Report*, columns *74-75*, on what dates representatives of his Department met representatives of Ian Greer Associates and discussed the subject of private sector involvement in the work of the Insolvency Service.

Mr. Heseltine: No such meetings have taken place.

Mr. Soley: To ask the President of the Board of Trade what was the remit given by his Department to the Stoy Hayward options consultancy currently being undertaken into the Insolvency Service.

Mr. Heseltine *[holding answer 25 May 1994]:* The first study undertaken by Stoy Hayward considered the ways in which official receivers could concentrate more on their investigatory role by involving the private sector more in the mechanical processing work in insolvencies. A summary of Stoy Hayward's report was placed in the Libraries of both Houses. The remit for the feasibility study now in progress was to carry out a more detailed analysis of the costs, benefits and value for money of options identified in the earlier work.

Mr. Soley: To ask the President of the Board of Trade whether he has decided to privatise the Insolvency Service.

Mr. Heseltine *[holding answer 25 May 1994]:* No. We are examining ways in which the private sector can play a larger part than it already does in delivering the services of the Insolvency Service.

Ecocon Ventures

Mr. Campbell-Savours: To ask the President of the Board of Trade, pursuant to his answer of 23 May, *Official Report*, column *74*, on what dates representatives of his Department met representatives of Ecocon Ventures.

Mr. Heseltine: No such meetings have taken place.

Post Office

Mr. Spearing: To ask the President of the Board of Trade if he will state his reasons for refusing each of the requests made by the Post Office for permission to pursue commercial initiatives listed in its supplementary memoranda to the Select Committee on Trade and Industry, which were published on pages 31-2 of its first report on the future of the Post Office, HC 207, 1993-94.

Mr. McLoughlin *[holding answer 25 May 1994]:* The Post Office's requests, some of which date back many years, were to expand its activities, often into areas already served by the private sector. As my right hon. Friend the President of the Board of Trade explained in his evidence to the Select Committee reproduced in the same report as that cited by the hon. Member, the Government need to consider the effect that greater commercial freedom for a publicly owned business would have on other firms. A number of businesses made clear to the Select Committee their concerns about the fairness of competition, as the Committee recognised at paragraph 20 of its unanimous report.

Mr. Spearing: To ask the President of the Board of Trade where and by what means he has given his reasons for not choosing the option of maintaining the Royal Mail in public ownership but with enhanced commercial freedom.

Mr. McLoughlin *[holding answer 25 May 1994]:* The Government have reached no decisions on the Post Office review. The hon. Member's question does not therefore arise. A Green Paper will be published shortly setting out the issues in full and outlining the options for change.

Coalfield Communities

Mrs. Peacock: To ask the President of the Board of Trade what steps he is taking to ensure that British Coal land which is leased to miners' welfares for sports and recreational facilities in coalfield communities is preserved for the future of those communities.

Mr. Heseltine *[holding answer 25 May 1994]:* As part of the wider process of deciding on the disposal of the corporation's assets, I have asked British Coal to identify land which it owns and which is currently used for coal industry social welfare purposes, including recreation.

I will take into account local needs when taking decisions on the disposal of the land so identified, on who should receive the benefit of the use of that land and on the safeguards which might be required.

ATTORNEY-GENERAL

Stephen Lawrence

Mr. Peter Bottomley: To ask the Attorney-General if he will refer to the Crown Prosecution Service the reports of activities of a police officer, details of which have been sent to him.

Mr. Austin-Walker: To ask the Attorney-General what representations he has received about the involvement of a police officer, whose name has been supplied to him, in the Stephen Lawrence murder case.

The Attorney-General: It is for the Commissioner of the Police of the Metropolis to consider whether the activities of any individual require investigation. Where allegations and complaints are made about the activities of a police officer the chief officer of the relevant force will have regard to the procedures established under part IX of the Police and Criminal Evidence Act 1984.

Mr. Austin-Walker: To ask the Attorney-General if he intends to review the decision of the CPS not to proceed with a prosecution in the case of the murder of Stephen Lawrence.

The Attorney-General: The proceedings arising from the death of Stephen Lawrence were discontinued because the Crown Prosecution Service concluded, after a careful and detailed examination of the evidence, that there was no realistic prospect of conviction. Reconsideration of that decision would not be justified unless significant fresh evidence were to become available.

Upper Limb Disorders

Dr. Marek: To ask the Attorney-General what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

The Attorney-General: Two civil servants in the Crown Prosecution Service.

Treasury Solicitor Act 1876

Mr. Cousins: To ask the Attorney-General how often the powers of the Treasury Solicitor Act 1876 have been used to create offshore bank accounts or conduct share transactions in the United Kingdom and overseas in the name of Government Departments and agencies; and in what form the use of these powers is reported to Parliament.

The Attorney-General: Currently there are no offshore accounts which have been created under the powers in the Treasury Solicitor Act 1876. Information about such accounts which may previousy have been created since 1876 is not available and could be provided only at disproportionate cost.

The Treasury Solicitor has conducted share transactions as nominee of Government Departments or their agencies but principally on behalf of the Treasury for purposes connected with privatisations. Information identifying the number of such share transactions could only be provided at disproportionate cost.

Any reporting to Parliament of share transactions by the Treasury Solicitor as nominee for another Government Department will be the responsibility of that other Department.

Rolan Adams and Stephen Lawrence

Mr. Austin-Walker: To ask the Attorney-General if he will make a statement on the matters referred to him by the hon. Member for Woolwich in respect of the Rolan Adams and Stephen Lawrence murder cases.

The Attorney-General: No. I shall write to the hon. Gentleman as soon as possible in response to his letter of 23 May.

International Military Services Ltd.

Mr. Cousins: To ask the Attorney-General whether it was the practice of the Treasury Solicitors to attend the annual general meetings of International Military Services Ltd. as shareholders.

The Attorney-General: No.

Mr. Cousins: To ask the Attorney-General on which occasions the Treasury solicitors offered advice to International Military Services Ltd.

The Attorney-General: I am not aware of any such occasion.

DeLorean

Mr. Cousins: To ask the Attorney-General whether Treasury solicitors have offered advice in the Government's actions over the DeLorean company.

The Attorney-General: The Treasury Solicitor's department has, since 1985, advised on the proceedings which have been brought by the Department of Economic Development in Northern Ireland in connection with the accounts of the DeLorean company. Currently, the Treasury Solicitor's department is liaising with the lawyers responsible for the litigation in the United States of America and is advising Government Departments in connection therewith.

Government Information

Mr. Llew Smith: To ask the Attorney-General when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

The Attorney-General: In respect of the departments for which I have responsibility, the code of practice directly applies only to the Treasury Solicitor's department. I have announced the intention of the Crown Prosecution Service and the Serious Fraud Office to seek voluntarily to comply with the code so far as possible, 22 March, *Official Report,* column *218.* Internal guidance is being drawn up within the Treasury Solicitor's department, the Crown Prosecution Service and the Serious Fraud Office. This will be made available once it has been finalised, in accordance with the provisions in the code of practice. In the meantime, each division of the Treasury Solicitor's department, all Crown Prosecution Service offices and the Serious Fraud Office have copies of the Cabinet Office guidance on interpretation of the code, which has already been placed in the House of Commons Library.

LORD CHANCELLOR'S DEPARTMENT

Judicial Appointments

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans his Department has to abolish the requirement that solicitors eligible for elevation to the High Court bench should hold additional advocacy qualifications.

Mr. John M. Taylor: The statutory requirements for appointment as a High Court judge are to have a 10-year High Court qualification within the meaning of the Courts and Legal Services Act 1990—that is, a right of audience in relation to all proceedings in the High Court; or to be a circuit judge who has held that office for at least two years. The Lord Chancellor has no plans to change these requirements.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans his Department has to improve the procedures by which appointments are made to the judiciary; and what plans he has to publish a report on such improvements.

Mr. John M. Taylor: I refer the hon. Member to the reply that I gave to the hon. Member for Clwyd, North-west (Mr. Richards) on 19 May, *Official Report,* column *529.* The Lord Chancellor's proposals are set out in a consultation paper, copies of which have been placed in the Library.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department how many Queen's counsel refused the offer of appointment to *(a)* the High Court bench and *(b)* the circuit bench in (i) 1970, (ii) 1980 and (iii) in each of the last five years.

Mr. John M. Taylor: Information relating to 1970 and 1980 is not available.

The numbers of Queen's counsel who have declined an offer to recommend their names to Her Majesty The Queen for immediate appointment to the High Court Bench and, on the basis of the information readily available, to the circuit bench in each of the last five years are as follows.

	High Court bench	*Circuit bench*
1989-90	—	—
1990-91	—	1
1991-92	1	—
1992-93	6	—
1993-94	2	1

Private Members' Bills

Ms Lynne: To ask the Parliamentary Secretary, Lord Chancellor's Department on what occasions since April 1992 Ministers from his Department have *(a)* requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

Mr. John M. Taylor: Parliamentary Counsel does not draft on behalf of private Members but on the instructions of Departments acting on the authority of Ministers. Since April 1992 neither the Lord Chancellor nor I have authorised officials to instruct Parliamentary Counsel to prepare amendments to private Members' Bills which were subsequently passed to private Members.

Sex Offences

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what *(a)* compulsory and *(b)*optional training for judges in the area of cases involving sex offences has been provided by the Judicial Studies Board since July 1993.

Mr. John M. Taylor: Once every five years, all judges attend Crown court refresher seminars run by the Judicial Studies Board. Some of the sessions in the seminars are devoted to the study of sex offences. In addition, judges who hear family cases attend a special residential seminar once a year. Since July 1993 there have been four Crown court refresher seminars and one special family seminar.

Appeal Judges

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the names and the dates of appointment of all currently serving lords justices of appeal.

Mr. John M. Taylor: The names of the lords justices, and the dates they were appointed to the Court of Appeal are as follows:

Name	
Sir Brian Dillon	30 September 1982
Sir Brian Neill	11 January 1985
Sir Martin Nourse	3 June 1985
Sir Iain Glidewell	3 June 1985
Sir John Balcombe	11 June 1985
Sir Patrick Russell	12 January 1987
Dame Elizabeth Butler-Sloss	11 January 1988
Sir Murray Stuart-Smith	13 January 1988
Sir Christopher Staughton	13 January 1988
Sir Michael Mann	13 January 1988
Sir Donald Farquharson	12 June 1989
Sir Anthony McCowan	3 October 1989
Sir Roy Beldam	3 October 1989
Sir Andrew Leggatt	30 January 1990
Sir Richard Scott	1 October 1991
Sir Johan Steyn	10 January 1992
Sir Paul Kennedy	25 June 1992
Sir David Hirst	1 October 1992
Sir Simon Brown	1 October 1992
Sir Anthony Evans	1 October 1992
Sir Christopher Rose	1 October 1992
Sir Leonard Hoffman	1 October 1992
Sir John Waite	11 January 1993
Sir John Roch	11 January 1993
Sir Peter Gibson	23 March 1993
Sir John Hobhouse	1 October 1993
Sir Denis Henry	1 October 1993
Sir Mark Saville	11 January 1994
Sir Peter Millett	12 April 1994

Upper Limb Disorders

Dr. Marek: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. John M. Taylor: The number of civil servants at present taking legal action against my Department as a result of work-related upper limb disorders is 24.

Courts and Legal Services

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to publish the first results of the fundamental review of expenditure on the courts and legal services.

Mr. John M. Taylor: The fundamental review team will make its first report to the Lord Chancellor at the end of June 1994. It will not be published. Any change in policy resulting from the review will be announced in the usual way.

Lawyers (Ethnic Minorities)

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what research his Department has done into the effectiveness of the Bar Council's decision in October 1991 to set a quota of two representatives of the ethnic minorities in each set of chambers; what percentage of chambers in *(a)* London and *(b)* the provinces have so far achieved this target; and what plans he has to assist the Bar Council in increasing these percentages.

Mr. John M. Taylor: The Lord Chancellor's Department has not undertaken any research into the effectiveness of the Bar Council's race equality policy, adopted in October 1991, which anticipated that at least 5 per cent. of all chambers' membership would be barristers from ethnic minorities. This is a matter for the Bar Council.

Legal Aid Board

Mr. Alton: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the estimated cost so far to the Legal Aid Board of franchising, including the full cost of recruiting and training quality auditors; and what are the expected costs for the financial year 1994-95.

Mr. John M. Taylor: The cost of franchising to the Legal Aid Board in the years prior to 1993-94 is not available. At that time, the cost was relatively small and consisted largely of the time of senior officials at the board developing the policy behind franchising. In 1993-94 the board began to recruit and train staff for the implementation of franchising. The cost of franchising to the board in 1993-94 was £3·4 million. For 1994-95 expenditure of £3·9 million has been budgeted.

Family Panels

Mrs. Roche: To ask the Parliamentary Secretary, Lord Chancellor's Department what research he has commissioned in to the possibility of domestic violence cases being heard by family panels; and if he will make a statement.

Mr. John M. Taylor: No such research has been commissioned. Some domestic violence cases are currently heard by family proceedings courts. The Lord Chancellor has given detailed consideration to the Law Commission's report on civil remedies for domestic violence and the most appropriate venue for such cases to be heard has formed an important part of that consideration.

Written Answers to Questions

Tuesday 14 June 1994

ENVIRONMENT

Local and Regional Government

Mr. Straw: To ask the Secretary of State for the Environment what information his Department collects on the functions of government which are undertaken in whole or in part by local or regional authorities in other countries in the European Union.

Mr. Gummer: The information that the hon. Member requires is produced by the Steering Committee of Local and Regional Authorities of the Council of Europe and relates to "Structure and Operation of Local and Regional Democracy" in member states.

Private Members' Bills

Ms Lynne: To ask the Secretary of State for the Environment on what occasions since April 1992 Ministers from his Department have *(a)* requested parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Gummer: Parliamentary counsel drafts not on behalf of private Members but on the instructions of Departments acting on the authority of Ministers.

With the authority of Ministers, amendments were drafted by counsel on instructions from my Department and subsequently passed to private Members in respect of the following private Members' Bills:

the Local Government (Overseas Assistance) Bill;
the Noise and Statutory Nuisance Bill;
the Hedgerows Bill;
the Energy Conservation Bill.

Amendments to the Civil Rights (Disabled Persons) Bill on matters of concern to my Department were drafted by parliamentary counsel on instructions from the Department of Social Security with the assistance of officials from my Department and subsequently passed to a private Member.

Ministers have authorised officials to instruct parliamentary counsel to prepare amendments to the following Bills which were subsequently passed to Peers:

the Local Government (Overseas Assistance) Bill;
the New Towns (Amendment) Bill;
the National Parks Bill.

Minewater Contamination

Mr. Hoon: To ask the Secretary of State for the Environment what steps are being taken to prevent contamination by minewater of the Erewash and Leen rivers and of groundwater in Nottinghamshire following the closure of Annesley Bentinck colliery; and if he will make it his policy that the present regime will be continued for as long as necessary to prevent such contamination.

Mr. Atkins: It is for British Coal, in consultation with the National Rivers Authority, to assess any environmental effects of colliery closures and to consider what action may need to be taken to avoid water pollution. In the case of the Annesley Bentinck colliery, I understand that the two parties are currently participating in a joint study to assess the environmental consequencies of ceasing minewater pumping.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for the Environment if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Baldry: The information requested is not held centrally by my Department and is obtainable only at disproportionate cost.

Water Pollution, Worcester

Mr. Luff: To ask the Secretary of State for the Environment when he expects *(a)* to receive and *(b)* to publish the report of the drinking water inspectorate into the pollution of water supplies in Worcester on 15 April.

Mr. Atkins: The drinking water inspectorate's investigation will be completed as soon as possible. Publication of its report may be delayed if a prosecution of Severn Trent Water Ltd. is pursued.

Mobile Homes

Mr. Mills: To ask the Secretary of State for the Environment what assessment he has made of the protection for tenants in the Mobile Homes Act 1983 against unreasonable landlords; and if he will make a statement.

Sir George Young: The Mobile Homes Act 1983 gives certain rights and protection to all residents whose agreements with their site owner allows them to live in their mobile home as their main residence. These include security of tenure and the right to sell their mobile home on site. Many site owners also give additional rights to residents in excess of the statutory requirements. An industry-backed code of good practice, the residents charter launched in January this year, aims to encourage high standards on mobile home sites.

The rules governing reasonable behaviour apply to mobile home site owners just as they apply to all citizens. In addition, local authorities have the power to start legal proceedings against site owners who are harassing their residents.

Housing Renovation Grant

Mr. Spellar: To ask the Secretary of State for the Environment what estimate his Department has made of the job creation effect of housing renovation grants.

Sir George Young: The diverse nature of the work assisted through house renovation grants makes it difficult to give precise estimates of the job creation effects. However data in research work undertaken for the Department suggest that up to 17,000 man years work in the construction industry could potentially be attributable to house renovation grant expenditure in 1993-94.

Consultation Papers (Responses)

Mr. Battle: To ask the Secretary of State for the Environment, pursuant to his answer of 12 April, *Official Report*, column *132-33*, on which matters of widespread interest his Department received more than 9,500 responses; and whether those matters were presented in the form of a Green Paper.

Mr. Baldry: The consultation exercise that started in November 1992 relating to the authorisations for radioactive waste discharges at Sellafield drew approximately 80,000 responses; a second round of consultation based on the justification for nuclear fuel processing at the site, launched in August 1993, drew some 42,000 individual letters plus petitions containing about 25,000 signatures. Neither of these matters was presented in a Green Paper. The consultation exercise, launched with the November 1993 publication, "London: Making the Best Better", which was not a Green Paper, drew almost 11,000 responses.

Sewers

Mr. Speller: To ask the Secretary of State for the Environment, pursuant to his answer of 19 May, *Official Report*, column *532*, what regulations his Department has placed on the sewerage undertakers to provide protection for public health against sewer blockages or collapses.

Mr. Atkins: Each sewerage undertaker has a statutory duty under section 94 of the Water Industry Act 1991 to maintain sewers so that the area for which it is responsible is effectively drained and to make provision for emptying sewers and effectually disposing of the contents. It is for each sewerage undertaker to decide how to comply with the legislation. The duty is enforceable by the Director General of Water Services.

Environmental Action Fund

Sir Richard Body: To ask the Secretary of State for the Environment what are his criteria for deciding whether to give or refuse grants under the environmental action fund.

Mr. Atkins: The environmental action fund exists to assist voluntary organisations with work in England which advances the Government's environmental policies as set out in the White Paper "This Common Inheritance". Successful applicants must satisfy financial criteria, undertake work that supports the Department's policy objectives or carry out projects within defined priority areas, and promise value for money. Particular emphasis in 1994-95 was given to supporting organisations with innovative approach and those new to environmental work. Grants are awarded to those who score highest against these criteria. Funds are not available for projects which could get grant under any other programme.

Government Information

Mr. Llew Smith: To ask the Secretary of State for the Environment when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Baldry: My Department relies on the central guidance on interpretation, which has been placed in the Library of the House. In addition, guidance is being prepared on the charging arrangements operating in my Department, which should be available by the end of June. A copy will be placed in the Library of the House.

Unitary Authorities

Mr. Frank Cook: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Redcar of 19 May, *Official Report*, column *533-34*, how many representations he has received for, and how many against, the need for shadow elections to be held before the unitary authorities coming into existence; and if he will place copies of such representations in the Library.

Mr. Curry: My officials wrote to the four districts and the county council in Cleveland on 25 February, informing them that, because of the judicial review case brought by the county council, it would be impossible for us to lay an order providing, inter alia, for elections to be held in May this year. We therefore sought the views of the majority and minority groups on the relevant local authorities on three options:

(a) elections later in 1994, with a start-up date for the unitary authorities in 1995;

(b) start-up in April 1995, with elections in May 1995;

(c) elections in May 1995, with the unitary authorities not being established until April 1996.

Option *(a)* was preferred by the Labour and Liberal Democrat groups on Middlesbrough borough council and the Liberal Democrat groups on Langbaurgh-on-Tees and Stockton-on-Tees borough councils. Option *(b)* was the first choice for all three groups on Hartlepool borough council, for the Labour and Conservative groups on both Langbaurgh-on-Tees and Stockton-on-Tees borough councils and for the Conservative group on Middlesbrough borough council. Option *(c)* was the preference for all three groups on Cleveland county council. The county council was supported in this view by the Association of County Councils.

Representations were received in favour of option *(a)* from the National Association of Local Councils and in favour of a shadow period of about 11 months between the elections to, and implementation of, the new unitary authorities from Unison.

I have placed copies of all these representations in the Library.

Waterways Ombudsman

Dr. Wright: To ask the Secretary of State for the Environment how many complaints have been received by the waterways ombudsman from the date of appointment by the British Waterways Board in August 1993.

Mr. Atkins: Since the date on which the waterways ombudsman was appointed, six complaints have been received.

Colliery Spoil

Mr. Tipping: To ask the Secretary of State for the Environment if he will list those individuals and organisations who responded to minerals planning guidance note 3, on coal mining and colliery spoil disposal; and if he will place copies of those responses in the Library.

Mr. Baldry: I am arranging for copies of the responses to be placed in the Library of the House together with a list of those who responded to the consultation exercise.

National Parks

Mr. Dafis: To ask the Secretary of State for the Environment if he will publish for each local authority and for England as a whole *(a)* the total area, *(b)* the area occupied by national parks and *(c)* the percentage of area occupied by national parks.

Mr. Atkins: The figures are as follows. Those local authorities which are not listed do not have land designated as a national park within their boundaries.

	Total area (ha)	*Area occupied by national park (ha)*	*Percentage of area designated as national park*
Devon CC	671,096	114,438	17·0
West Devon DC	115,973	52,001	44·8
Teignbridge DC	67,600	26,264	38·8
South Hams DC	88,693	15,985	18·0
Mid Devon DC	91,539	283	0·3
North Devon DC	108,620	19,905	18·3
Somerset CC	345,120	48,732	14·1
West Somerset DC	72,720	48,732	67·0
Cumbria CC	681,000	250,517	36·8
Allerdale DC	125,729	55,980	44·5
Eden DC	215,814	45,440	21·0
Copeland DC	73,711	51,150	69·4
South Lakeland DC	155,066	97,947	63·2
Northumberland CC	503,165	104,949	20·9
Alnwick DC	108,012	34,430	31·9
Berwick DC	97,606	19,037	19·5
Tynedale DC	222,096	51,482	23·2
North Yorkshire CC	831,297	293,468	35·3
Hambleton DC	131,158	21,400	16·3
Ryedale DC	159,822	55,000	34·4
Scarborough DC	81,678	61,100	74·8
Craven DC	117,994	80,851	68·5
Richmond DC	131,710	75,117	57·0
Cleveland CC	59,090	6,100	10·3
Langbaurgh DC	24,050	6,100	25·4
Derbyshire CC	262,858	88,646	33·7
Derbyshire Dales DC	79,548	45,904	57·7
High Peak DC	54,079	40,382	74·7
North East Derbyshire DC	27,667	2,360	8·5
Cheshire CC	232,846	8,557	3·7
Macclesfield DC	52,523	8,557	16·3
Staffordshire CC	271,754	20,500	7·5
Staffordshire Moorland DC	57,624	20,500	35·6
Oldham Metropolitan	14,112	2,899	20·5
Barnsley Metropolitan	32,863	2,999	9·1
Kirklees Metropolitan	40,992	4,200	10·3
Sheffield Metropolitan	36,755	14,496	39·4
England	13,047,800	960,501	7·3

Carbon Dioxide

Mr. Chris Smith: To ask the Secretary of State for the Environment which Governments have adopted the target of a 20 per cent. cut in carbon dioxide on 1988 levels by 2005; and what plans he has to adopt this target.

Mr. Atkins: As far as I am aware, only the Governments of Denmark, Germany and Luxembourg have formally and unconditionally adopted such a target. The United Kingdom is committed, though its ratification of the United Nations framework convention on climate change, to take measures aimed at returning emissions of carbon dioxide and other greenhouse gases to 1990 levels by 2000. The Government have no plans at present to adopt a different target.

Local Government Reorganisation

Mr. Rowe: To ask the Secretary of State for the Environment whether local authorities and council tax payers outside the reorganised areas will be protected from the increased costs of local government reorganisation.

Mr. Curry: In most cases reorganisation should, over time, lead to reduced costs. There would need to be significant non-financial benefits to justify a reorganisation that did not lead to net savings. We would expect savings and, exceptionally, any net costs, to be confined to the areas being reorganised.

Mr. Pickthall: To ask the Secretary of State for the Environment how it is proposed that the transitional costs of local government reform in England will be met in 1995-96 and in subsequent years.

Mr. Curry: Authorities subject to reorganisation in 1995 will be able to borrow to meet transitional costs incurred this year. Similar arrangements will apply for 1995-96 and later years, but taking account of authorities' ability to meet the costs from savings and receipts generated by reorganisation. We shall be consulting local government on the arrangements later in the summer.

Oslo and Paris Commissions

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) what proposals concerning nuclear issues have been tabled for the 16th joint meeting of the Oslo and Paris Commissions, 13 to 17 June; and if he will place in the Library a summary of them;

(2) what will be the United Kingdom's policy in respect of the proposals concerning nuclear issues at the forthcoming 16th joint meeting of the Oslo and Paris Commissions; and what are the reasons for this policy;

(3) how the recently announced Department of Environment review of radioactive waste management policy alters the position that the United Kingdom will take at the 16th joint meeting of the Oslo and Paris Commissions;

(4) what representations his Department is prepared to accept from international organisations or Governments such as the member states of the Oslo and Paris Commissions, in relation to the Department of Environment review of radioactive waste management policy;

(5) what representations his Department has had from Parcom member states regarding the forthcoming 16th joint meeting of the Oslo and Paris Commissions.

Mr. Atkins: Draft recommendations on nuclear issues have been presented jointly by Denmark, Iceland, Ireland and Norway concerning:

—the management of spent nuclear fuel;

—environmental impact resulting from discharges of radioactive substances; and

—increases in radioactive discharges from nuclear reprocessing plants;

The Netherlands has submitted proposals concerning a revised reporting format proposal and Greenpeace has submitted papers on United Kingdom discharge policies and a non-reprocessing option. Copies of the proposals have been placed in the Library.

It is not for one member of the commissions to disclose what has been said to it by other members in the course of negotiations.

The United Kingdom considers that the role of the Oslo and Paris Commissions in radioactivity matters is to protect the marine environment with a general objective of ensuring that best available techniques are applied to inputs of radioactive substances within the appropriate regulatory system. The commissions do not have a role in the decision process for individual plants or management options.

The preliminary conclusions of the review of radioactive waste management policy, announced by my right hon. Friend the Secretary of State for the Environment on 19 May, will not be available until later in the summer. The Department of the Environment will, of course, give full consideration to all representations made in relation to the review.

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will list the voting record of the United Kingdom on nuclear issues at the meeting of the Oslo and Paris Commissions.

Mr. Atkins: Since 1987 there have been seven Paris Commission recommendations on radioactive issues. The United Kingdom has accepted all of these except for the most recent, recommendation 93/5, concerning increases in radioactive discharges from nuclear reprocessing plants where, together with other contracting parties, the United Kingdom reserved its position.

Somerset Levels and Moors

Mr. Chris Smith: To ask the Secretary of State for the Environment (1) if he will list the number of staff employed in the management of the Somerset levels and moors national nature reserve for each year from 1987 to the present;

(2) if he will list the area covered by management agreements in the Somerset levels and moors for each year since 1987 for agreements between the Nature Conservancy Council/English Nature and owners or occupiers of sites of special scientific interest;

(3) what has been the total sum of money paid out and the average payment per hectare on management agreements in the Somerset levels and moors for each year since 1987 for agreements between the Nature Conservancy Council/English Nature and owners or occupiers of sites of special scientific interest;

(4) what was the area in each moor, in the Somerset levels and moors national nature reserve in high water level management consistent with maintaining and enhancing its wetland nature for each year since 1987;

(5) how many management agreement exist in regard to the Somerset levels and moors between English Nature and owners or occupiers of sites of special scientific interest and the number which are due to be reviewed in 1994-95;

(6) how many staff have been employed in the negotiation and administration of management agreements on sites of special scientific interest in the Somerset levels and moors for each year since 1987 by the Nature Conservancy Council/English Nature;

(7) what is the expenditure proposed by English Nature on the management of *(a)* the Somerset levels and moors candidate special protection area and *(b)* the Somerset levels and moors national nature reserve for the years (i) 1994-95, (ii) 1995-96 and (iii) 1996-97.

Mr. Atkins: From 1987-1990, one, and from 1990 to date, two staff have been employed in the management of the Somerset levels and moors national nature reserve. From 1987 to 1993, four permanent staff, and from 1993 to the present, three permanent staff, were involved in the negotiation and administration of management agreements in the Somerset levels and moors.

There are 191 management agreements relating to the Somerset levels and moors, of which 12 are due for review in 1994-95. Information about payments under these agreements and the area covered is not available in the form requested. In 1993-94 the total sum paid out in annual payments under management agreements in the Somerset levels and moors was £335,681, and the average payment was £151 per hectare per annum. As at 31 March 1994, 2,218.52 hectares were covered by management agreements.

Estimated expenditure within the Somerset levels potential special protection area is expected to be at a similar level for 1994-95 and subsequent years. Net expenditure on the national nature reserve is negligible as the land is owned by English Nature and attracts receipts in excess of £15,000 per annum.

Since 1987, the only area within the Somerset levels included in the experimental high water level area is Southlake, which covers some 130 hectares.

Climate Change

Mr. Chris Smith: To ask the Secretary of State for the Environment (1) what is his policy on changes in greenhouse gas emissions from human-made sources within the United Kingdom after the year 2000;

(2) which measures he will take to prevent an increase in carbon dioxide emissions from the United Kingdom from the year 2000 onwards;

(3) what targets he has adopted or will adopt with respect to carbon dioxide emissions from the United Kingdom after the year 2000 onwards.

Mr. Atkins: The Government's position on action under the climate change convention was set out in chapter 10 of the United Kingdom's climate change programme, published in January. This commits the United Kingdom to making a full and appropriate contribution beyond 2000 to achievement of the convention's ultimate objective, and makes it clear that our national programme to achieve the current commitments in the convention will be reviewed and developed in the context of the international response.

Mr. Chris Smith: To ask the Secretary of State for the Environment if he has submitted a report or communication to the secretariat of the intergovernmental negotiating committee for a framework convention on climate change on the views of the United Kingdom Government for the review of the adequacy of commitments in article 4 of the convention; and if he will make a statement.

Mr. Atkins: The United Kingdom has not at this stage submitted any papers on this subject to the secretariat.

Mr. Chris Smith: To ask the Secretary of State for the Environment if he plans to attend the 11th session of the intergovernmental negotiating committee for a framework convention on climate change, to be held in New York in February 1995.

Mr. Atkins: No decision has yet been made on United Kingdom representation at the 11th session of the intergovernmental negotiating committee.

Mr. Chris Smith: To ask the Secretary of State for the Environment what is his policy on the negotiation of protocols under the United Nations framework convention on climate change.

Mr. Atkins: We are willing to consider any constructive proposal for protocols to the convention.

Mr. Chris Smith: To ask the Secretary of State for the Environment if he plans to attend the 10th session of the intergovernmental negotiating committee for a framework convention on climate change, to be held in Geneva from 22 August to 2 September; and what matters will be discussed there.

Mr. Atkins: Officials from my Department and others will represent the United Kingdom at the 10th session of the intergovernmental negotiating committee. The agenda for the meeting has not yet been issued.

Out-of-town Shopping Centres

Mr. Chris Smith: To ask the Secretary of State for the Environment if he will list the planning applications *(a)* granted or *(b)* pending to build out-of-town shopping centres.

Mr. Curry: Planning applications are made to the local planning authority in the first instance and there is no central record of applications received or granted. We are monitoring major applications, and those which could have a cumulative impact. This helps inform the Secretary of State should he consider calling them for his own decision. That power is used sparingly.

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) how many warehouse clubs are currently under construction in England; and how many have planning permission but have not yet started construction;

(2) how many *(a)* out-of-town shopping centres and *(b)* out-of-town warehouse parks are under construction in England.

(3) how many *(a)* out-of-town shopping centres and *(b)* out-of-town warehouse parks currently have planning permission but have not yet started construction in England.

Mr. Baldry: This information is not available.

Water Quality

Mr. Meacher: To ask the Secretary of State for the Environment what legal costs were incurred by the United Kingdom Government in defence of the actions taken by the European Commission over the bathing water directive, July 1993 and the drinking water directive, November 1992.

Mr. Atkins: The disbursements incurred on behalf of the United Kingdom in connection with the proceedings taken by the European Commission in the European Court of Justice concerning the bathing water directive, case C56/90, and the drinking water directive, case C337/89, were about £35,000. This figure includes counsel's fees, VAT, travelling and hotel accommodation, but does not otherwise include the costs of staff in the Treasury Solicitor's Department or of lawyers in the Department of the Environment who provided legal services and advised within the normal course of their duties.

Local Referendums

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, pursuant to his answer of 24 May, *Official Report,* column 96, if he will list the powers available to local authorities which would allow them to hold referendums on particular issues.

Mr. Baldry: Local authorities do not have any specific powers to hold referendums but may be able to rely on the

Local Government Act 1972, section 111—subsidiary powers of local authorities—in conjunction with one or more of their functions; section 141 of that Act—research and the collection of information; and the Local Government Act 1985, section 88—research and collection of information.

Tenants' Cash Incentive Scheme

Mr. Simon Hughes: To ask the Secretary of State for the Environment how much money has been made available to the London boroughs of *(a)* Southwark, *(b)* Lewisham, *(c)* Lambeth and *(d)* Tower Hamlets to operate the tenants' cash incentive scheme in the last 10 years; how many council properties have been vacated as a result of the scheme in these areas during this period; and if he will make a statement on the long-term future of the scheme.

Sir George Young: The tables show the resources allocated to the cash incentive scheme in each of these London boroughs, along with the resources actually spent and the number of vacancies created, since the scheme was introduced in 1989.

The cash incentive scheme is a cost-effective housing measure which enables local auathorities to improve the supply of affordable housing for rent to people in need, and at the same time assists households to buy a home of their own. We will continue to encourage local authorities to operate a scheme.

Year	*1989-90*	*1990-91*	*1991-92*	*1992-93*	*1993-94*	*1994-95*
(a) Southwark						
Own resources	0	£100k	0	0	0	0
Government resources	0	£200k	£825k	£250k	0	£150k
Total resources spent	0	£89k	£774k	£198k	0	nyk
Number of vacancies	0	10	62	15	0	[1]10
(b) Lewisham						
Own resources	0	£800k	£960k	0	0	0
Government resources	0	£200k	£540k	£450k	0	£180k
Total resources spent	0	£195k	£484k	£328k	0	nyk
Number of vacancies	0	13	33	25	0	[1]12
(c) Lambeth						
Own resources	0	0	0	0	0	0
Government resources	0	0	£1·14m	£1m	0	£540k
Total resources spent	0	0	£1·10m	£920k	0	nyk
Number of vacancies	0	0	55	46	0	[1]36
(d) Tower Hamlets						
Own resources	0	0	£1·42m	0	0	£250k
Government resources	0	0	£580k	£500k	0	£310k
Total resources spent	0	0	£418k	£378k	0	nyk
Number of vacancies	0	0	21	23	0	[1]37

Notes:

1. No Government resources were made available in 1989-90 and 1993-94.

2. nyk = Not yet known.

[1] These figures are estimated and assume the resources allocated will be spent in full.

Urban Waste Water

Mr. Chris Smith: To ask the Secretary of State for the Environment when he intends to announce the designation of sensitive areas in accordance with annexe II A(b) and (c) of the urban waste water treatment directive (91/271/EEC).

Mr. Atkins: I refer the hon. Member to the answer I gave on 18 May to my hon. Friend the Member of Hexham (Mr. Atkinson) *Official Report*, column *513*.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for the Environment in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Baldry: It is normal practice in the Department of the Environment, except in relation to some detailed technical consultations, technical exercises by Her Majesty's inspectorate of pollution and the London consultation exercise where respondents were informed that their names and addreses would be treated in confidence, to inform those consulted that all responses may be made publicly available unless respondents have requested that their comments should be treated as confidential.

Thermal Oxide Reprocessing Plant

Mr. Llew Smith: To ask the Secretary of State for the Environment what public opinion surveys his Department or consultants to his Department have conducted into the attitude of people in *(a)* West Cumbria or *(b)* the United Kingdom towards the policy option to return to Japan high-level waste arising from reprocessing at Sellafield.

Mr. Atkins: None.

Mr. Simon Hughes: To ask the Secretary of State for the Environment whether British Nuclear Fuels plc is in breach of planning conditions regarding the importation of spent fuel to the THORP receipt and storage facility; what action he is planning to take to enforce the planning condition; and if he will require BNFL to cease importation immediately in the interim.

Mr. Baldry: I am not aware that BNFL is in breach of any conditions attached to the planning permission for the

THORP receipt and storage facility at Sellafield. If it is, responsibility for taking appropriate enforcement action rests with Copeland borough council in the first place. I have no plans to require BNFL to cease importation of spent fuel.

Shared Ownership Schemes

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many properties bought under shared ownership schemes have been repossessed.

Sir George Young: Information on the number of repossessions of properties bought under shared ownership schemes is not collected by my Department and is not held centrally.

Right to Buy

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many properties bought under the right to buy scheme have been found to have some form of structural defect which was undetected at the time of purchase.

Sir George Young: Following comprehensive studies by the Building Research Establishment, 24 dwelling types in England have been designated as inherently structurally defective under part XVI of the Housing Act 1985. Where owners purchased such properties from public sector landlords before the defects became known, they were given rights to assistance under the 1985 Act. Local authorities estimated that there were almost 31,000 properties whose owners qualified for assistance under the scheme. Statistics are not held centrally on how many of those properties were bought under the right to buy scheme.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for the Environment how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Baldry: Information about offers of outside employment to staff in this Department is not recorded.

Bathing Beaches

Mr. Peter Bottomley: To ask the Secretary of State for the Environment which bathing beaches fail environmental standards because of seagulls.

Mr. Atkins: No bathing waters are considered to fail the bacteriological standards of the bathing water directive consistently because of seagulls. However, as the tests under the directive do not distinguish between human and other sources of faecal pollution it is possible that contamination by mammals and birds will contribute to occasional failures.

Parish Polls

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, pursuant to his answer of 23 May, *Official Report*, column 86, if he will make it his policy to collect information on parish polls.

Mr. Baldry: We have no plans at present to adopt such a policy.

Water Supplies

Ms Primarolo: To ask the Secretary of State for the Environment if he will list the occasions in the last five years when a water authority or company has supplied water which has been found to be unhealthy, stating the water authority or company involved in each case.

Mr. Atkins: In 1992 water companies in England and Wales carried out approximately 3·75 million tests of the various parameters by which compliance with the standards for drinking water are assessed. Of these tests, 98·7 per cent. demonstrated compliance with the relevant water quality standard. There is no evidence that any of the contraventions was of such a magnitude or duration as to endanger the health of consumers.

Since the drinking water inspectorate was established on 2 January 1990, it has been informed by water companies of 295 incidents which affected, or threatened to affect, drinking water quality. To date no water companies have been prosecuted for supplying water unfit for human consumption.

Property Services Agency

Mr. Fatchett: To ask the Secretary of State for the Environment on the latest available figures, if he will set out *(a)* by company, the money received for the sale of the Property Services Agency and *(b)* the cost of redundancy and early retirement following the sale of the agency.

Mr. Curry *[holding answer Wednesday 25 May 1994]:*On *(a)*, I refer the hon. Member to the replies given to him on 19 January and 3 February 1994 on the proceeds from the sale, which have not changed. Updated information on *(b)*, is set out in the table below, in the same format as the 3 February 1994 reply for completeness.

	BM Scotland	*BM Manchester*	*BM SouthEast*	*BM South and West*	*BM Noreast*
Number of redundancies	210	217	320	203	335
Of these:					
Total number made redundant by purchasers	0	10	3	3	5
Cost of redundancies £ million	8·6	8·8	12·6	8·2	16·0

Travellers

Sir John Stanley: To ask the Secretary of State for the Environment if he will list the number of official gipsy sites in each local authority area in England for which statistics are collected.

Mr. Baldry *[holding answer Thursday 26 May 1994]:* My Department publishes annually in January a list of gipsy sites in England based on information provided by local authorities. The most recent list, January 1994, has been placed in the House of Commons Library.

Compulsory Competitive Tendering

Mr. Hendry: To ask the Secretary of State for the Environment what action he proposes to take against those local authorities whose direct labour organisations failed to meet their statutory financial objectives for 1992-93.

Mr. Baldry: In March this year, 27 statutory notices were served on 12 local authorities concerning the failure of their direct labour organisations to meet the required financial objective in 1992-93. Further notices were served in May and others will be served over the next few months.

My right hon. Friend has now considered the responses of those authorities on which notices were served on 21 March. He has today given directions to East Cambridgeshire—other catering; East Yorkshire—building maintenance, highways and sewerage; the London borough of Haringey—highways and sewerage; Hastings—highways and sewerage, ground maintenance, other catering; Maidstone—building maintenance and sport and leisure management; and North Hertfordshire—ground maintenance.

These directions take three different forms:

Preventing authorities from carrying out the defined activities after September 1995 if they fail to meet the required financial objectives for the work during the current year, 1994-95. East Yorkshire, Maidstone (building maintenance) and North Hertfordshire were given directions of this sort.

Requiring authorities to seek the Secretary of State's consent if they wish to award work on the defined activity to their DLO following retendering which is currently underway. East Cambridgeshire, Hastings and Maidstone (sport and leisure management) fall into this category.

Preventing the authority from carrying out elements of the defined activity through its own DLO. Haringey's direction fell into this category.

The Secretary of State has also decided to take no further statutory action in respect of financial failure in 1992-93 by:

Huntingdonshire (ground maintenance), Lancashire (ground maintenance), North Hertfordshire (sport and leisure management, vehicle maintenance), Sheffield (building cleaning, school and welfare catering) and Staffordshire Moorlands (ground maintenance) because they met their financial objectives in 1993-94;

Mid Bedfordshire (sport and leisure management) because the work in question is to be contracted out.

He is still considering responses from Burnley borough council—building maintenance, ground maintenance, new construction work, other catering, other cleaning, refuse collection; and from Sheffield City Council—refuse collection, other cleaning, and other catering.

I am pleased to say that the majority of DLOs operate successfully, and provide a cost-effective service to local taxpayers. Local authorities have now had over five years' experience of CCT—over 10 years in the case of building and construction work. There is no reason why all DLOs should not be able to operate to the prescribed financial standard. The number of notices being served this year reflects the fact that we are now taking statutory action against all DLOs recording any significant financial failures. I am also pleased to note that, in many cases where financial losses have been incurred, local authorities have taken prompt action to put matters right.

Mr. Hendry: To ask the Secretary of State for the Environment when he intends to make regulations to extend compulsory competitive tendering to all local authority highway work by abolishing the present competition-free allowance.

Mr. Baldry: Regulations made under sections 7, 9 and 23 of the Local Government, Planning and Land Act 1980 amending the Local Government (Direct Labour Organisations) (Competition) Regulations 1989 were laid before the House on 10 June. These come into force in England on 1 April 1995. The Government have consulted representatives of local authorities on these proposals, and the start date of 1 April 1995, seven months later than first proposed, reflects authorities' comments and allows additional time for authorities to carry out tendering.

The regulations abolish the present 40 per cent. competition-free allowance for small general highways jobs undertaken by local authority direct labour organisations and remove the exemption from competition of winter maintenance work. Recent Audit Commission research showed that the progressive extension of competition for highways work had produced cost savings while maintaining standards of service. These amendments are in accord with the Government's aim to increase the areas of local authority work subject to competition to promote greater efficiency, to give greater value for money to local taxpayers, and to improve the quality of services.

Mr. Hendry: To ask the Secretary of State for the Environment if he will make a statement on the Government's proposals for the extension of compulsory competitive tendering to further local authority services.

Mr. Baldry: Compulsory competitive tendering is being extended to six professional support services, in a phased programme—legal services, professional construction and property services, IT, finance, personnel, and corporate and administrative services. Detailed proposals for each service are being developed in close and very productive consultation with the local authority associations, the Audit Commission, the Accounts Commission for Scotland and the Chartered Institute of Public Finance and Accountancy. The Government also propose to extend CCT to three further manual services—management of on-street parking, security work and vehicle management.

Detailed consultation proposals for legal CCT and for the manual services were issued by my Department on 15 December 1993 and 16 November 1993 respectively. The Government have now considered the responses received from local authorities, the Law Society and other interested parties, and I have today tabled an order under section 2 (3) of the Local Government Act 1988 which will provide, subject to resolution of both Houses of Parliament, for these services to become "defined activities" for the purpose of CCT.

I hope that the debates on the order will take place shortly. Subject to Parliament's approval of the order, the

Government will then make regulations under section 6 (3) of the 1988 Act, to establish the competition requirement and start dates.

As regards legal services, the Government have concluded that the proportion of authorities' legal activity to be subject to CCT should be 45 per cent., as suggested in the consultation proposals. I have carefully considered the suggestion that the competition figure should be lower, but I feel confident that the proposed figure—subject also to a minimum in-house provision of £300,000 to safeguard the position of small authorities—will enable authorities to gain the benefits of competition across a wide range of their legal work, while ensuring that authorities can maintain the necessary in-house legal expertise. The minimum figure of £300,000 will be reviewed periodically to ensure that it continues to meet its purpose.

The Government propose that authorities will be able to count the following categories of legal work towards meeting their CCT requirement: work carried out in-house following a voluntary competitive exercise; work carried out for locally managed schools; legal work related to housing management, where this service will become subject to CCT at a later date for the authority in question; legal work in support of other local authority activity which itself has been exposed to CCT and legal work already contracted out.

In response to comments received, the draft order provides that, where individual members of staff spend less than 50 per cent. of their time on legal work, their time will not be included in the authority's aggregate of defined legal activity. We propose that the same cut-off figure will apply to the other professional support services also. This will reduce the administrative effort of operating CCT.

We also propose that legal services will become subject to CCT from April 1996 in the London boroughs and English metropolitan districts. This will, I believe, allow authorities good time to prepare specifications and carry out tendering. For the English shire authorities, CCT will come into effect following local government review and the determination of each authority's new structure. Separate timetables will apply in Scotland and Wales.

CCT requires authorities to operate free and fair competition. My Department will this week be issuing guidance to local authorities and others on the conduct of tendering for white collar services. This guidance reflects valuable comments received on the consultation draft, and it emphasises that quality of service should be fully considered alongside price, in selecting the best tender proposal.

The Government have also considered responses to the consultation proposals issued on 22 February 1994 for the internal accounting framework to accompany the introduction of professional CCT. As indicated in the consultation proposals, authorities will be required to establish and publish a "Statement of Support Service Costs" as part of their annual accounts. Regulations under section 23 of the Local Government Finance Act 1982 to this effect will be made shortly. The new statements will identify the costs of each of the six support services to an authority, providing local taxpayers and authorities' members and managers with valuable new information. In order that SSSCs can cover all six support services from the outset, SSSCs will start in 1995-96 for the London boroughs and metropolitan districts. For the shire authorities, SSSCs will come into effect following local government review. The Chartered Institute of Public Finance and Accountancy is writing guidance material to assist authorities prepare SSSCs, which it expects to complete and publish in the autumn.

As the Minister for Transport in London and I told the House on 30 March—*Official Report*, columns *755* and *867*, the three further manual services will become subject to CCT from October 1995 in the London boroughs and metropolitan districts, and following local government review in the case of the English shire authorities. The definitions of the further manual services have been clarified, following comments on the consultation proposals. We are discussing further with the local authority association provisions for exempting security work undertaken under byelaws which grant local authority officers powers of enforcement. I will make a further announcement in due course.

Some 266 responses were received on the consultation proposals for legal CCT, 114 on those for the internal accounting framework, and 200 on those for the manual services. I have placed lists of responses in the Library.

Local Government Management

Mr. Hendry: To ask the Secretary of State for the Environment what changes he proposes to make to the councillor's allowances system in the light of the recommendations of the joint working party on internal management of local government in England; and if he will make a statement.

Mr. Baldry: The Government have accepted the recommendation of the working party on the internal management of local government that local authorities should have much greater discretion in deciding how much councillors should be paid in allowances. We agree with the working party that the present system is too prescriptive and that it places an unnecessary bureaucratic burden on local authorities. The changes that we propose to make will remove that burden and will encourage people with a wide range of backgrounds, experiences and skills to serve as councillors. Removing the ceiling on the allowance that leading councillors can be paid will allow local authorities to give more adequate remuneration to those councillors with special responsibilities. There will be no overall increase in public expenditure as a consequence of these changes.

I have today written to those who chair the local authority associations seeking their views on the proposals that we are making. Copies of my letter to the associations have been placed in the Libraries of both Houses.

Severance Pay

Mr. Hendry: To ask the Secretary of State for the Environment when he proposes to announce new severance pay proposals for local government employees; and if he will make a statement.

Mr. Baldry: We are today beginning consultations with local government and other interested parties on new severance pay regulations to complement the Local Government (Compensation for Premature Retirement) Regulations 1982. Local authority associations, local authorities and other local government interests are being invited to submit representations by 13 July. Copies of the consultation material are being placed in the Library. We intend, subject to any further representations, to make and lay the regulations before the House in the summer.

We are proposing to give councils new powers to allow one-off payments to categories of pensioners who had their pensions reduced as a consequence of the Court of Appeal's judgment in Allsop *v.* North Tyneside.

Our proposals also give councils the opportunity to provide improved levels of severance pay both for general cases of redundancy as a result of local government reorganisation. In developing our proposals we have considered carefully the advice of the Local Government Staff Commission (England) and views expressed by other interested parties.

I am satisfied that these proposals are both fair in comparison with other public service schemes and affordable to local government. They provide a good statutory framework to help compensate employees made redundant and the terms proposed compare favourably with those available to other public sector employees.

These proposals do not cover the staff commission's recommendations to compensate employees for reductions in pay—detriment—on which a further announcement will be made shortly.

Costs of all severance packages must be met from authorities' own resources and not from local authority pension funds. Future local government finance settlements will take account of the transitional costs of local government reorganisation, including those due to severance payments.

TREASURY

Aggregate, Race Bank

Mr. Morley: To ask the Chancellor of the Exchequer what royalties the National Rivers Authority will pay the Crown Estate Commissioners for aggregate dredged from Race bank.

Mr. Kenneth Clarke: No decision has been made under the Government view procedure that Race bank will be the source of material for the Mablethorpe to Skegness coast protection scheme. If Race bank material is used, the NRA will pay the Crown Estate a royalty based upon the current commercial royalty rate in the area taking into account the quantity, quality, grade and location of the material used.

Consultants

Mrs. Dunwoody: To ask the Chancellor of the Exchequer if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Nelson: The list gives the firms which have provided consultancy work to Her Majesty's Treasury since 1991-92. I regret that information going back beyond this date can be obtained only at disproportionate cost. The list gives a total value for each year but is not specifically broken down by firm. As some firms have only had single contracts for each year, giving information in the way asked would breach our commercial in confidence rules. The list excludes contracts awarded to individuals, academics and academic institutions.

(£ million)

1991-92
Value of consultancy work (ex VAT) £9·4 million
Firms involved:
- BDO Binder Hamlyn
- Delta Dimensions
- Moody Int. Dev.
- Price Waterhouse
- Touche Ross & Co.
- TPF&C
- Transtech Conslt. Services
- Allen & Overy
- Davis Polk & Wardwell
- Dewe Rogerson
- Hamada & Matsumoto
- Linklaters & Paines
- Mitsui Yasuda Wani & Maeda
- Stikeman Elliott
- S. G. Warburg

1992-93 £2·2 million
Firms involved:
- A'Time Ltd.
- BDO Binder Hamlyn
- Dorothy Bond Interiors
- Bywater Plc.
- Coopers & Lybrand Deloitte
- Delta Dimensions Ltd.
- Demograft Recruitment Conslt.
- Dunnett Shaw & Partners
- Edmunds, Ray & Associates
- Ernst & Young
- Inenco Group
- KPG Computer Support
- KPMG Management Conslt.
- LOGOTECH
- Morgan Grenfell
- Moody International Devlpmt.
- Mouchel Management Ltd.
- PMMS Consulting Group Ltd.
- Prime Strategy Conslt.
- Purcon Conslt. Ltd.
- Price Waterhouse
- Strategic Financial Mangmt. Ltd.
- Symonds
- Tillers Financial Services
- TPF&C
- Arthur Walton & Partners
- The Wyatt Company
- Allen & Overy
- Baring Brothers
- Brunswick
- Davis Polk & Wardwell
- Dewe Rogerson
- Linklaters & Paines
- Solid Solutions
- Touche Ross
- S. G. Warburg

1993-94
£5.9 million
Firms involved:
- Archilles Conslt.
- BDO Binder Hamlyn
- Dorothy Bond Interiors
- Capita Management Conslt.
- Coopers & Lybrand
- Davis Langdon Conslt.
- D. W. Diamond Management Conslt.
- Dunnett Shaw & Partners
- Ernst & Young
- Ground Modelling Systems Ltd.
- Grosvenor Conslt. Services
- Hay Management Conslt. Ltd.
- Kingsley Lord Ltd.
- KPG Computer Support
- KPMG Peat Marwick

William M. Mercer
Marcial Exbenique & Partners Ltd.
Montrose
Price Waterhouse
Symond Construction Management
Touche Ross & Co.
Wendy Pritchard Associates
Wyatt Company (UK) Ltd.
Brunswick
Davis Polk & Wardwell
Dewe Rogerson
Kleinwort & Benson
Linklaters & Paines
Nishimura & Sananda
Slaughter & May
Solid Solutions
Stikeman Elliott
S. G. Warburg

Post Office

Mr. Chris Smith: To ask the Chancellor of the Exchequer if he will list, for each of the last 10 years, the annual contribution made by the Post Office to the Exchequer *(a)* in corporation tax and *(b)* in specific Treasury contributions under its external financing limit.

Mr. Dorrell: The information requested is as follows:

	Corporation Tax £ million	*External financing requirement £ million*
1984-85	2	–26
1985-86	1	–82
1986-87	2	–136
1987-88	42	–79
1988-89	31	–60
1989-90	26	0
1990-91	70	0
1991-92	67	–74
1992-93	83	–80
1993-94	81	[1]–182

[1] Latest estimate of outturn.

Income Tax

Ms Primarolo: To ask the Chancellor of the Exchequer how much revenue would be lost to the Exchequer by a 1p reduction in the basic rate of income tax; and how much would be generated by an increase in the basic rate of one penny in the pound.

Mr. Dorrell: The direct revenue effect of a 1p reduction or increase in the basic rate of income tax in a full year would be £1·8 billion at 1994-95 levels of income.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 May, *Official Report*, column *397*, when the 1993 figures for uncollected schedule D tax will be available.

Mr. Dorrell: The figure for uncollected schedule D tax for the account year 1993 will be included in the Board of Inland Revenue's annual report in the autumn.

Personal Investment Authority

Mr. David Marshall: To ask the Chancellor of the Exchequer on what date the Personal Investment Authority will start operating; and if he will make a statement.

Mr. Nelson: Recognition of self-regulating organisations under the Financial Services Act 1986 is a responsibility of the Securities and Investments Board. I understand that, subject to recognition, the Personal Investment Authority expects to begin regulating its members in July 1994.

Mr. David Marshall: To ask the Chancellor of the Exchequer how many companies and independent financial advisers have joined the Personal Investment Authority.

Mr. Nelson: I understand that, as of 24 May, the personal investment authority had received 2,787 applications and that 299 firms had been accepted for membership.

Public Service Pensions

Mr. Morgan: To ask the Chancellor of the Exchequer what further changes there have been in the rules relating to abatement of public servants' pensions since 11 July 1991; and what proposals she has to provide a procedure for the consideration of abatement as regards those in receipt of early retirement pensions under the local government superannuation and teachers' superannuation scheme who are re-employed in *(a)* the same branch of the public service and *(b)* any other branch of the public service.

Mr. Portillo: There has been no change in the Government's policy relating to the abatement of public service pensions since the then Economic Secretary's reply to my hon. Friend the Member for Stevenage (Mr. Wood) of 21 December 1989, column *370* and the Minister for State's reply to my hon. Friend the Member for Gedling (Mr. Mitchell) of 11 July 1991, column *425*. Since then, the rules of the various public service pension schemes to which the policy applies will have been amended as necessary to give effect to it.

The policy remains that those in receipt of an early retirement pension from a public service scheme who are re-employed in the same public service may have their pensions abated. Those who are re-employed in a different public service can be subject to abatement of either their pay or pension if the criteria for appointment required earlier public service experience.

The detailed procedures for determining abatement are for the public services concerned.

Alternative Minimum Tax

Mr. Dewar: To ask the Chancellor of the Exchequer if he will update the answer given to the hon. Member for Newcastle upon Tyne, East (Mr. Brown) on 2 May 1991, *Official Report*, columns *296-97*, estimating the effect on Treasury revenues in 1994-95 of introducing an alternative minimum tax.

Mr. Dorrell: The information is as follows:

Additional tax liability arising from introduction of alternative minimum tax on gross income, 1994-95

Gross income of individual taxpayer (£)	*Rate of minimum tax* 20 per cent. £ million	25 per cent. £ million
Over 40,000	35	180
Over 45,000	30	100
Over 50,000	25	75

The estimates do not take account of any behavioural effects which might result from the introduction of the new arrangements.

Personal Income

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the breakdown of personal income in the United Kingdom as between earned income, benefits and basic state pension, occupational pensions, and supplementary pension, interest, profits and dividends at 1970, 1980, 1985, 1989 and 1992.

Mr. Nelson: Information on households' income and expenditure is published annually at current prices in table 4.9 of the "Central Statistical Office Blue Book, United Kingdom National Accounts" and on the CSO database; both sources are available in the Library.

Government Information

Mr. Llew Smith: To ask the Chancellor of the Exchequer when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Nelson: The guidance has been available since 4 April. A copy has been sent to the hon. Member and copies have also been placed in the Library of the House.

Life Assurance and Unit Trust Regulatory Organisation

Mr. David Marshall: To ask the Chancellor of the Exchequer if he will list in the *Official Report* all the companies who have been fined, and the amounts imposed, for breaching the existing LAUTRO regulations.

Mr. Nelson: To date, LAUTRO has imposed the following fines:

	£
(i) during 1994	
Norwich Union	300,000
Premium Life	300,000
Manulife	65,000
Aegon	225,000
Legal and General	180,000
Laurentian Life	70,000
Crown Life	130,000
LAS	145,000
(ii) during 1993	
Canterbury Life	80,000
NMFM	45,000
Prosperity Life	75,000
Interlife	160,000
Colonial Mutual	130,000
Liberty Life	80,000
(iii) during 1992	
Scottish Widows	120,000
G R E	100,000
London & Manchester	80,000
Cannon	50,000
G A Life	50,000
C U Life	50,000
Norwich Union	50,000

Uncollected Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 May, *Official Report*, column *396*, when the 1993 figures on uncollected corporation tax will be available.

Mr. Dorrell: The figure for uncollected corporation tax for the account year 1993 will be published in the Board of Inland Revenue's annual report in the autumn.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 May, *Official Report*, column *398*, when the 1993 figures for uncollected PAYE and national insurance contributions will be available.

Mr. Dorrell: The figures for uncollected PAYE and national insurance contributions for the account year 1993 will be included in the Board of Inland Revenue's annual report in the autumn.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 May, *Official Report*, column *397*, when the 1993 figures for uncollected capital gains tax will be available.

Mr. Dorrell: The figure for uncollected capital gains tax for the account year 1993 will be published in the Board of Inland Revenue's annual report in the autumn.

Exchange Rates

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what has been the change in real exchange rates measured in terms of relative unit prices since the second half of 1973; and to what extent this affected the demand for, and supply of, skilled labour.

Mr. Nelson: I refer the hon. Member to the answer I gave him on 21 March 1994, *Official Report*, column *15*, which provides references to exchange rate and price data, which can be used to calculate the information requested.

The real exchange rate is only one factor affecting the demand for, and supply of, skilled labour. It is difficult to isolate the effect of changes in the real exchange rate from that of other factors, such as the impact of structural reform of the labour market.

Scientific Research

Mr. Anthony Coombs: To ask the Chancellor of the Exchequer what consideration he is giving to the provision of further guidance by the Inland Revenue as to the meaning and scope of scientific research as outlined in section 139 of the Capital Allowances Act 1990.

Mr. Dorrell: Scientific research is defined in the Capital Allowances Act as covering

> "any activities in the fields of natural or applied science for the extension of knowledge".

Whether any particular activities fall within this definition will depend on the facts of the case. However, in general terms, activities are scientific research if they involve the application of new scientific principles in an existing area of research or the application of existing principles in a new area of research. The essential test is innovation.

Public Consultation

Mr. Kirkwood: To ask the Chancellor of the Exchequer in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Nelson: No consistent pattern has been followed in the past. It is now the Treasury's policy, when issuing a public consultation document, to ensure that those responding are aware that their responses may be made publicly available unless they have requested otherwise.

Civil Rights (Disabled Persons) Bill

Mr. Alan Howarth: To ask the Chancellor of the Exchequer what is his estimate of the effects on employment, gross domestic product, total national insurance contributions and tax revenues of (i) the construction and (ii) the re-equipment activity arising from compliance with the requirements of the Civil Rights (Disabled Persons) Bill over *(a)* 10, *(b)* 15, *(c)* 20 and *(d)* 25 years; and if he will explain the basis for his calculations.

Mr. Portillo: The information is not available and could be obtained only at disproportionate cost.

Government Bonds

Mr. Simon Hughes: To ask the Chancellor of the Exchequer who is currently the largest purchaser of Government bonds.

Mr. Nelson: A sectoral breakdown of purchases of Government securities is given at table 10.2F of the Central Statistical Office's "Financial Statistics".

Public Sector Companies

Mr. Simon Hughes: To ask the Chancellor of the Exchequer what was the combined output in 1993 as a percentage of gross domestic product of *(a)* the companies privatised in the last 15 years and *(b)* those still in the public sector.

Mr. Nelson: Information on the output of companies privatised in the last 15 years is not available on a national accounting basis.

The estimates of output of companies still in the public sector are not yet available for 1993. However, for 1992 the output of these companies was 3·5 per cent. of gross domestic product.

Excise Duties

Mr. David Porter: To ask the Chancellor of the Exchequer what steps he is taking to prevent differences between excise duties in the United Kingdom and France affecting pubs and clubs in the United Kingdom; and if he will make a statement.

Sir John Cope: Customs are taking firm action against individuals attempting to evade duty and compete unfairly against legitimate trade by smuggling alcoholic drinks and tobacco. Those involved run the risks of losing the imported goods and the vehicle used to transport them, and of a prison sentence of up to seven years. In the 15 months to March 1994, customs made 1,588 detections involving £2·3 million in revenue.

Small Companies

Mr. David Porter: To ask the Chancellor of the Exchequer if he will make it his policy to consider further a scheme to enable small companies which have been established for about five years to expand their premises, their staff and their output through some tax-friendly assistance; and if he will make a statement.

Mr. Dorrell: Proposals for measures to help business will be carefully considered in the run-up to the next Budget. Last year's Budgets included several measures to encourage the growth of small companies. In particular, the enterprise investment scheme and venture capital trusts will stimulate funds for unquoted trading companies. Relief on capital gains where proceeds are reinvested in unquoted trading companies, and retirement relief, also give an incentive to invest in small companies.

Welsh Office Block Grants

Mr. Ainger: To ask the Chancellor of the Exchequer what formula is used to calculate the Welsh Office block grant as a proportion of total expenditure.

Mr. Portillo: The Welsh Office block is determined under established formula arrangements, in accordance with which the block is adjusted by 6·02 per cent. of the changes made to plans for comparable English programmes.

Mr. Ainger: To ask the Chancellor of the Exchequer how much in percentage and cash terms of total public expenditure the Welsh Office block grants represented in each of the years between 1988-89 and 1994-95.

Mr. Portillo: The information requested is contained in the table:

£ million

	1988-89	*1989-90*	*[1]1990-91*	*[1]1991-92*	*1992-93*	*1993-94*	*1994-95*
Total public expenditure	156,058	175,115	193,378	212,513	232,345	244,500	251,300
Welsh Office Block	3,482	3,698	4,329	5,153	5,825	6,110	6,410
As percentage of total public expenditure	2·2	2·1	2·2	2·4	2·5	2·5	2·6

[1] The increase from 1990-91 to 1991-92 is accounted for by an increase in the Community Care grant of £268 million. From 1992-93 onwards responsibility for Training in Wales was transferred from the Department of Employment.

Taxation

Ms Harman: To ask the Chancellor of the Exchequer (1) if he will provide estimates for the years 1978-79 to 1995-96 of the proportion of income taken in *(a)* direct tax, *(b)* indirect tax and *(c)* total tax for single pensioners aged over 75 years on (i) average pensioner income, (ii) half average pensioner income and (iii) twice average pensioner income;

(2) if he will provide estimates for the years 1978-79 to 1995-96 of the proportion of income taken in *(a)* direct tax, *(b)* indirect tax and *(c)* total tax for single pensioners aged 65 to 74 years on (i) average pensioner income, (ii) half average pensioner income and (iii) twice average pensioner income;

(3) if he will provide estimates for the years 1978-79 to 1995-96 of the proportion of income taken in *(a)* direct tax, *(b)* indirect tax and *(c)* total tax for pensioner couples aged 65 to 74 years on (i) average pensioner income, (ii) half average pensioner income and (iii) twice average pensioner income;

(4) if he will provide estimates for the years 1978-79 to 1995-96 of the proportion of income taken in *(a)* direct tax, *(b)* indirect tax and *(c)* total tax for pensioner couples aged over 75 years on (i) average pensioner income, (ii) half average pensioner income and (iii) twice average pensioner income.

Mr. Dorrell *[holding answer 19 May 1994]:* Figures for direct tax payments are in the table. Information on indirect tax payments is not available. For the hypothetical family types examined, real after-tax income rose, between 1978-79 and 1992-93, by over £30 per week for the single pensioner with an average income and by over £80 per week for a couple at 1992-93 prices.

Income tax as percentage of gross income

	Multiples of average pensioner income		
	½	*1*	*2*
Single aged 65-74			
1978-79	0	3·8	17·0
1979-80	0	2·5	15·4
1980-81	0	3·3	16·6
1981-82	0	7·6	18·8
1982-83	0	6·4	18·2
1983-84	0	5·4	17·7
1984-85	0	5·1	17·6
1985-86	0	4·2	17·1
1986-87	0	4·8	16·9
1987-88	0	6·1	16·5
1988-89	0	5·0	15·0
1989-90	0	5·5	15·3
1990-91	0	6·4	15·7
1991-92	0	6·9	16·0
1992-93	0	6·1	15·5
Increase in real net income, after tax 1978-79 to 1992-93 (percentage)	44·7	41·3	47·5
Single aged 75+			
1978-79	0	3·8	17·0
1979-80	0	2·5	15·4
1980-81	0	3·3	16·6
1981-82	0	7·6	18·8
1982-83	0	6·4	18·2
1983-84	0	5·4	17·7
1984-85	0	5·1	17·6
1985-86	0	4·2	17·1
1986-87	0	4·8	16·9
1987-88	0	5·3	16·1
1988-89	0	4·2	14·6
1989-90	0	4·7	14·9
1990-91	0	5·7	15·3
1991-92	0	6·2	15·6
1992-93	0	5·5	15·1
Increase in real net income, after tax 1978-79 to 1992-93 (percentage)	44·7	42·1	48·1
Couple, aged 65-74			
1978-79	0	8·4	23·7
1979-80	0	7·1	21·4
1980-81	0	7·8	21·8
1981-82	0	11·5	23·1
1982-83	0	9·8	22·5
1983-84	0	10·3	22·7
1984-85	0	9·7	21·9
1985-86	0	10·3	22·0
1986-87	0	10·3	21·4
1987-88	0	11·5	20·7
1988-89	0	10·6	19·2
1989-90	0	10·2	19·0
1990-91	0	2·8	13·9
1991-92	0	3·6	15·0
1992-93	0	3·0	14·4
Increase in real net income, after tax 1978-79 to 1992-93 per cent.	46·9	55·6	64·7
Couple, aged 75+			
1978-79	0	8·4	23·7
1979-80	0	7·1	21·4
1980-81	0	7·8	21·8
1981-82	0	11·5	23·1
1982-83	0	9·8	22·5
1983-84	0	10·3	22·7
1984-85	0	9·7	21·9
1985-86	0	10·3	22·0
1986-87	0	10·3	21·4
1987-88	0	10·9	20·7
1988-89	0	10·1	19·2
1989-90	0	9·8	19·0
1990-91	0	2·3	13·5
1991-92	0	3·1	14·6
1992-93	0	2·6	14·0
Increase in real net income, after tax 1978-79 to 1992-93 per cent.	46·9	56·2	65·5

Notes:

1. The estimates use figures for the average gross incomes of singles and couples where the head is over 65 obtained from the Family Expenditure Survey. These figures are for calendar years and are only available up to 1992. Separate figures for the average incomes of those aged 65-74 and over 75 are not readily available. All figures are subject to sampling error. They are also not strictly comparable over time because of changes in the Family Expenditure Survey.

2. The estimates assume that all income is taxable and that the pensioners have no tax allowances other than the personal and married couple's allowance.

3. Gross income is assumed to be split between the husband and wife in the ratio 70:30. None of the wife's income is assumed to be from earnings.

Ms Harman: To ask the Chancellor of the Exchequer (1) if he will provide estimates for the years 1978-79 to 1995-96 of the level of income at which pensioner couples aged over 75 years start to pay income tax *(a)* in cash prices, *(b)* in 1994-95 prices, *(c)* expressed as a proportion of average earnings and *(d)* expressed as a proportion of average pensioner income;

(2) if he will provide estimates for the years 1978-79 to 1995-96 of the level of income at which pensioner couples aged 65 to 74 years start to pay income tax *(a)* in cash

prices, *(b)* in 1994-95 prices, *(c)* expressed as a proportion of average earnings and *(d)* expressed as a proportion of average pensioner income.

Mr. Dorrell *[holding answer 19 May 1994]:* Only 30 per cent. of pensioners currently pay income tax. Available information on tax thresholds is given in the table. The figures show that the tax thresholds for pensioners have risen significantly in real terms. For the single pensioner with an average income, real after-tax income rose by over £30 per week between 1978-79 and 1992-93 and for a married couple the increase was over £80 at 1992-93 prices.

	Tax threshold[1] at current prices		*Tax threshold[1] at constant 1994-95 prices[2]*		*Tax threshold[1] as percentage of average earnings[3]*		*Tax threshold[1] as percentage of average income of a pensioner couple[4]*	
	Aged 65–74 £	*[5]Aged 75 or over* £	*Aged 65–74* £	*[5]Aged 75 or over* £	*Aged 65–74* *Per cent.*	*[5]Aged 75 or over* *Per cent.*	*Aged 65–74* *Per cent.*	*[5]Aged 75 or over* *Per cent.*
1978–79	2,075	2,075	5,933	5,933	43	43	68	68
1979–80	2,455	2,455	6,059	6,059	43	43	73	73
1980–81	2,895	2,895	6,139	6,139	42	42	74	74
1981–82	2,895	2,895	5,507	5,507	38	38	62	62
1982–83	3,295	3,295	5,856	5,856	40	40	67	67
1983–84	3,755	3,755	6,379	6,379	42	42	66	66
1984–85	3,955	3,955	6,392	6,392	41	41	68	68
1985–86	4,255	4,255	6,496	6,496	41	41	66	66
1986–87	4,505	4,505	6,662	6,662	41	41	65	65
1987–88	4,675	4,845	6,651	6,892	38	40	58	60
1988–89	5,035	5,205	6,755	6,983	38	39	57	59
1989–90	5,385	5,565	6,701	6,925	37	38	59	61
1990–91	5,815	6,005	6,601	6,817	37	38	59	61
1991–92	6,375	6,575	6,904	7,121	37	38	56	57
1992–93	6,665	6,875	7,000	7,221	37	38	55	57
[6]1993–94	6,665	6,875	6,882	7,098	36	37	N/a	N/a
[6]1994–95	6,865	7,075	6,865	7,075	35	36	N/a	N/a

[1] Married man's allowance for years prior to 1990–91. Personal allowance plus married couple's allowance for 1990–91 onwards.

[2] Assumes a growth in the retail prices index of 3·25 per cent. in 1994–95 in line with the forecast in the November 1993 Financial Statement and Budget Report.

[3] Average earnings are taken to be the average gross annual earnings of all full-time males on adult rates with pay unaffected by absence. These are assumed to be equivalent to £347·70 a week in 1992–93, £359·90 in 1993–94 and £374·40 in 1994–95, based on illustrative earnings growth assumptions of 3¾ per cent. in 1993–94 and 4 per cent. in 1994–95.

[4] Average income of a pensioner couple is derived from Family Expenditure Survey data and relates to calendar years. It is not possible to separately identify wife's income and so all income is assumed to be taxed as the husband's income.

[5] Aged 80 or over for 1987–88 and 1988–89.

[6] Provisional.

Disabled People

Mr. Alfred Morris: To ask the Chancellor of the Exchequer how much disabled employees will have to pay at the maximum in additional income tax on the cost of the necessary alterations to a company car for their use; and if he will make a statement.

Mr. Dorrell *[holding answer 26 May 1994]:* The new system for taxing employees on the private use of company cars is based on 35 per cent. of the price of the car for tax purposes. The price of a car for tax purposes includes the price of accessories with the car. The amount of income tax any individual taxpayer has to pay on a company car depends on the list price of the car and the price of the accessories. "Accessories" includes optional extras such as an automatic gearbox or power steering, and special equipment for disabled people.

Income tax is not charged if a car is provided for travel to and from work because a person is severely and permanently disabled to the extent that he or she can get to work no other way; the car has been specially adapted to the employee's needs; and no other non-business use of the car is permitted or made.

If such a person uses the specially adapted car for other private travel the journeys to and from work are treated as if they were "business" travel. This means those journeys count towards the discounts from the car benefit charge.

In addition, disabled people may be entitled to the mobility component of the disability living allowance which gives extra financial help to those whose disability impairs mobility.

Private Schools

Mr. Allen: To ask the Chancellor of the Exchequer how much would be netted by putting value added tax on private school fees.

Mr. Byers: To ask the Chancellor of the Exchequer what is the estimate of the revenue which would be received by removing the exemption from value added tax for private schools.

Sir John Cope *[holding answer 26 May 1994]:* The Treasury publication "Tax Ready Reckoner and Tax Reliefs" shows an estimate for the total revenue forgone from the VAT exemption of education as being £600 million in 1993-94. This includes universities. No separate estimate has been made for private schools. Many types of establishment may fall under the general description of "private school". Some of these establishments provide education that is subject to the standard rate of VAT.

Vehicle Licences, Northern Ireland

Mr. Connarty: To ask the Chancellor of the Exchequer what financial provision was made in the current financial year for the payment of commissions to the Post Office for the issuing of vehicle licences in Northern Ireland.

Mr. Tim Smith: I have been asked to reply.

Although no specific financial allocation was made in the current financial year for payment to Post Office Counters Ltd. for the issuing of vehicle licences in Northern Ireland, the agency responsible for vehicle licensing in Northern Ireland has been allocated £4·433 million for 1994-95 from which it has to deliver all its services.

Nuclear Waste

Mr. Llew Smith: To ask the Chancellor of the Exchequer what costing evaluation of the undiscounted lifetime costs for the proposed national repository for nuclear waste in Cumbria has been conducted by his Department.

Mr. Heseltine: I have been asked to reply.

Departmental officials have been participating in work to examine the cost implications of Nirex's proposed repository. The results of this examination will be considered in the radioactive waste management review being undertaken by my right hon. Friend the Secretary of State for the Environment.

SOCIAL SECURITY

Income Support

Mr. Cox: To ask the Secretary of State for Social Security what was the number of *(a)* men and *(b)* women living in the London borough of Wandsworth who were refused income support during 1993 because they were regarded as not being actively seeking work.

Mr. Burt: The information is not readily available and could be obtained only at disproportionate cost.

Dr. Wright: To ask the Secretary of State for Social Security from what date the Benefits Agency adopted the policy of making special payments if a claim for benefit is delayed six months beyond the management target for dealing with such claims; and how much has been paid out from that date.

Mr. Burt: I refer the hon. Member to the answer given to my hon. Friend, the Member for Fulham (Mr. Carrington) on 4 May 1993, at column *10.* Details of payments made for the year ending 31 March 1994 have not yet been collated.

Mrs. Mahon: To ask the Secretary of State for Social Security what restrictions are placed on unemployed adults studying for less than 21 hours per week while in receipt of income support.

Mr. Burt: People attending a part-time course of not more than 21 hours a week may, under certain circumstances, continue to receive income support but only if they are continuing to make a sustained effort each week to find a job and are prepared to leave the course immediately a suitable vacancy becomes available.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Social Security when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Hague: There are no plans to supplement the code of practice or the central guidance on interpretation with additional Departmental guidance on implementation.

This Department's existing arrangements for the provision of information already work well and it is our intention that the code of practice will reinforce and build on them. References to the code will therefore be incorporated in any relevant procedural guidance.

Eurostat Poverty Survey

Mr. Simon Hughes: To ask the Secretary of State for Social Security what assessment he has made of the recent Eurostat survey in respect of poverty and social security payments in Europe.

Mr. Burt: The report is a compilation of general statistics on life in the European Community and does not address the issue of poverty in relation to social security payments. However, the report shows that the United Kingdom's expenditure on social protection as a percentage of gross domestic product was above the European Community average in 1992.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Social Security in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential, and if he will arrange for his Department to do so in all cases in future.

Mr. Hague: It is already normal practice in this Department for public consultation documents to include the advice that comments received may be made publicly available unless confidentiality is specifically requested.

The results of consultation exercises may be made available in summary form, or responses may be published in full, depending on the nature of the issue and the strength and diversity of opinion.

Civil Servants (Political Campaigns)

Mr. Nigel Jones: To ask the Secretary of State for Social Security what limitations are placed on political campaigning by individuals employed by his Department; and if he will make a statement.

Mr. Hague: Political activities of civil servants in this Department are determined by chapter 4.4 of the personnel management section of the civil service management code, a copy of which is in the Library.

For the majority of staff below grade 7 level there are no limitations unless they are employed in certain areas of work. Staff at grade 7 level and above, administrative trainees and higher executive officers are barred from national political activities and must seek permission to take part in local political activities.

Where political activity involves campaigning about issues relating to this Department, staff must have regard to general rules on conduct set out in chapter 4.1 of the personnel management section of the civil service management code.

Mr. Nigel Jones: To ask the Secretary of State for Social Security what limitations are placed on individuals employed by his Department regarding campaigning to change the workings of the Child Support Act 1991; and if he will make a statement.

Mr. Hague: Civil servants are bound by the rules set out in chapter 4.1 and annex A of the personnel management section of the civil service management code, a copy of which is in the Library.

Campaigning by civil servants employed in this Department to change the workings of the Child Support Act 1991 through political or public activity would not be regarded as acceptable under the rules.

Chronic Bronchitis

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security how many individuals have applied for benefit in respect of chronic bronchitis or emphysema; how many of those claims have been successful in the period since the inception of the scheme; how many of these claims were refused on the basis of *(a)* insufficient lung function loss, *(b)* insufficient lengths of service and *(c)* non-diagnosis of class 1 pneumoconiosis; and if he will give these figures according to standard British Coal regions.

Mr. Scott: The information is not available in the form requested. The table gives the information by Benefits Agency area directorate as at 22 May 1994:

Area	*Claims received*	*Assessed at 14 per cent. or more disabled*[1]	*Disallowed on employment grounds*[2]	*Disallowed on medical grounds*[3]
South				
Anglia	23	3	4	4
Chilterns	22	0	4	1
South East	441	29	21	251
West Country	144	4	7	39
Wales and Central England				
East Midlands	5,175	406	88	3,447
Greater Manchester	308	27	11	194
Lancashire and Cumbria	2,129	106	99	1,254
Merseyside	463	32	21	301
Midlands South West	619	46	24	404
Wales	8,378	1,103	514	5,020
West Mercia	3,478	294	147	1,958
Scotland and North				
East Scotland	2,331	80	70	1,708
Glasgow	228	6	9	80
North and West Yorkshire	2,456	287	78	1,563
North, Central and West Scotland	1,835	47	74	1,410
South Yorkshire	6,168	610	127	3,900
Tyne Tees	6,807	490	126	5,237
Total	41,005	3,570	1,424	26,771

[1] Claims assessed at 14 per cent. or more result in an award of benefit.

[2] Claims are disallowed where the claimant has not worked underground in a coal mine for at least 20 years.

[3] Claims disallowed on medical grounds include those where there is insufficient lung function loss; those where category 1 pneumoconiosis has not been diagnosed, and those where chronic bronchitis or emphysema has not been diagnosed.

Figures are based on a 100 per cent. count and are subject to amendment. Not all the claims received would have been decided by 22 May.

Independent Living Fund

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many payments were made from the independent living (1993) fund in 1993-94; and what conclusions he has drawn as to the efficiency and effectiveness of the operation of the fund in that period.

Mr. Scott: I am informed by the director of the independent living (1993) fund that, as at 31 March 1994, there were 224 severely disabled clients receiving payments from the fund. In a further 164 cases, an offer of help had been made by the fund but had not yet been accepted by the client.

I am pleased with the progress that the fund has made in establishing partnership arrangement with local authorities and in devising effective joint care packages for individual clients. The trustees, director and staff have worked with dedication and with sensitivy to the needs of their clients during this period.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Social Security how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

HOUSE OF COMMONS PARLIAMENTARY DEBATES (HANSARD) ● 1993-94

CHADWYCK-HEALEY Vol. 244 cols. *365-556* 23 May-17 June 1994

Mr. Hague: Prior to 1985 civil servants were not required to report any job offers from an outside employer. Since then, this Department has required staff below grade 3, whether in procurement or contract work or not, to report any such approaches to a senior manager at least two grades above. Staff grade 3 or above are required to report any such offers to either the head of department or the Minister. Records of these reports are not kept.

Records relate to staff who have made an application to take up an outside business appointment. They do not distinguish between types of outside appointment or specify whether the application was followed up or not.

Some 78 applications were received for the period 1984-94 as shown in the table.

Year	*Grade 3/above*	*Below grade 3*	*Total applications*
[1]1984	1	8	9
[1]1985	8	15	23
[1]1986	—	15	15
[1]1987	1	7	8
1988	—	10	10
1989	1	6	7
1990	—	3	3
1991	—	2	2
1992	—	—	0
1993	—	—	0
1994	—	1	1

[1] figures relate to the Department of Health and Social Security.

Incapacity Benefit

Mr. Alan Howarth: To ask the Secretary of State for Social Security what plans he has to maintain in being his panel of experts, or a subgroup of it, in order to monitor the effectiveness and appropriateness of the new medical test of incapacity for work and to advise on such modifications as may prove necessary.

Mr. Scott: The assessment panel was formed to help us construct incapacity scales to be used in the new medical test. We are still considering the procedures for monitoring and evaluating both the new benefit and the medical test of incapacity.

Mr. Alan Howarth: To ask the Secretary of State for Social Security if he will make it his policy to apply the Social Security (Sickness and Invalidity Benefit and Severe Disablement Allowance) Miscellaneous Amendment Regulations 1994 so as not to give discretion to refuse benefits on the grounds that a person is capable of work if he or she has undertaken work as a volunteer for fewer than 16 hours in the week in which it was performed; and if he will alter the regulations to make this clear.

Mr. Scott: The purpose of the regulations is to allow people who have been accepted as incapable of work for the purposes of sickness benefit, invalidity benefit or severe disablement allowance to do unpaid voluntary work of fewer than 16 hours in a week without losing benefit. We believe that they achieve this. They are not intended to override the usual medical control procedures which apply to all claims. If an adjudication officer decides, for other reasons, that a person is not incapable of work, it is clearly right that benefit can be withdrawn, notwithstanding the fact that a person is doing voluntary work. It is not our intention that people should lose benefit solely because they do such voluntary work, and this has been made clear in the guidance issued by the Benefits Agency.

Civil Rights (Disabled Persons) Bill

Mr. Alan Howarth: To ask the Secretary of State for Social Security which amendments to the Civil Rights (Disabled Persons) Bill made in Standing Committee were taken into account in the compliance cost assessment; which amendments were not taken into account; and what were the reasons for the Government's approach in this regard.

Mr. Scott: Amendments which could be readily quantified were taken into account in preparing the compliance cost assessment. Others, for example on phase-in times, which were not specific enough to give a clear indication of timing or impact, made it impossible to identify costs over an unspecified period and therefore could not be taken into account.

Mr. Simon Hughes: To ask the Secretary of State for Social Security what representations he has received in support of his Department's handling of the Civil Rights (Disabled Persons) Bill; and if he will make a statement.

Mr. Scott: We have received a wide range of representations about the handling and implications of the Civil Right's (Disabled Persons) Bill.

Mr. Alan Howarth: To ask the Secretary of State for Social Security (1) what effects there are on his assessment of the costs of compliance with the requirements of the Civil Rights (Disabled Persons) Bill if he takes into account clause 10 as amended in Committee and assumes compliance over a period of *(a)* 10, *(b)* 15, *(c)* 20 and *(d)* 25 years;

(2) what estimate he makes of the additional costs of adaptation and/or replacement of (i) aircraft, (ii) trains, (iii) buses, (iv) coaches and (v) other means of carriage used in providing transport services to the public, if compliance with the requirements of the Civil Rights (Disabled Persons) Bill is deferred for *(a)* 10, *(b)* 15, *(c)* 20 and *(d)* 25 years.

Mr. Scott: The costs would depend not only on assumptions made about the rate at which compliance was achieved over the phasing period but also on the particular persons or bodies exempted from immediate compliance. Where it was possible to do so, the compliance cost assessment published on 5 May gave indications of the impact of longer phase-in periods. Further information is not readily available and could be obtained only at disproportionate cost.

Private Investigation Services

Mr. Donohoe: To ask the Secretary of State for Social Security, pursuant to his answer of 5 May, *Official Report*, column *617*, how much his Department has spent on private investigation services during the last two years; if he will list those companies which have been employed by his Department during this period; what safeguards his Department took to ensure that these agencies were members of the Association of British Investigators; and what guidelines are currently in operation within his Department as regards this matter.

Mr. Hague: This Department spent £116,522 in 1992-93 and £65,261 in the 1993-94 year on the service of legal documents in connection with the collection of arrears of national insurance contributions. The private and commercial investigations company used, which is not named for reasons of commercial confidentiality, is a member of the Association of British Investigators. No departmental guidelines are currently in operation with regard to this matter.

Disabled People

Mr. Alan Howarth: To ask the Secretary of State for Social Security what response the Government have made to the European Commission's Green Paper on social policy which requested views from member states by 31 March on the best method of achieving progress in the integration of disabled people.

Mr. Scott: A copy of the response to the European Commission by my right hon. Friend the Secretary of State for Employment is in the Library.

Welfare Benefits, Europe

Mr. Allen: To ask the Secretary of State for Social Security which of the British welfare benefits are classed as *(a)* social security and *(b)* social assistance benefits for European Economic Area purposes.

Mr. Burt: For EEA purposes, social security benefits are those which are designed to meet the specific contingencies listed in article 4(1) of regulation (EEC) No. 1408/71 on social security for migrant workers. The social security benefits for which this Department has responsibility are listed below. The definition also covers benefits in kind—that is, health care—provided by the national health service.

Child Benefit
Guardian's Allowance
Maternity Benefit
Sickness Benefit
Unemployment Benefit
Family Credit
Industrial Injuries Disablement Benefit
Severe Disablement Allowance
One Parent Benefit
Invalidity Benefit
Retirement Pension
Statutory Sick Pay
Widow's Benefits

Social assistance is not defined in EC legislation but is generally interpreted as covering non-contributory schemes which are often means-tested and based on individual need rather than specific contingencies.

Mr. Worthington: To ask the Secretary of State for Social Security (1) what proposals he has to make disability living allowance more accessible for those with learning difficulties.

(2) what proposals he has to make access to disability living allowance more equitable for those with a mental illness.

Mr. Scott *[pursuant to his reply, 19 May 1994, c. 539]:* Owing to a clerical error a phrase was inadvertently omitted. The reply should have been as follows:

> "None. Entitlement to disability living allowance is intended to depend on the care and mobility needs arising from a particular condition, rather than on the condition itself. Access to DLA is available to all disabled people through the claiming process. The Benefits Agency provide support services to assist people in making a claim."

ATTORNEY-GENERAL

Public Consultation

Mr. Kirkwood: To ask the Attorney-General in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

The Attorney-General: Should a public consultation document be issued, usual practice would be followed whereby comments are sought on the understanding that they can be made publicly available unless respondents have requested that their responses be treated as confidential.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Attorney-General how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

The Attorney-General: Since the Crown Prosecution Service was formed in 1986, there have been two instances of job offers reported by staff under section 14 of the rules. One came from a former member of staff at grade 3—1990—and the other from a member of staff at grade 5—1992. In each instance, the member of staff applied to join the organisation concerned. Since the Serious Fraud Office was formed in 1988, one approach on behalf of an outside employer has been reported under section 14 by a member of staff at grade 6—1993. This did not result in an application to join the organisation concerned. In none of these three instances did section 15 of the rules apply. There have been no reports in the Treasury Solicitor's Department and the legal secretariat to the Law Officers.

Consultants

Mr. Milburn: To ask the Attorney-General how many contracts his Department has had with consultants; and what has been the total cost in each of the last five years.

The Attorney-General *[pursuant to his reply, 23 March 1994, c. 335-36]:* Certain additional costs have been identified by the Crown Prosecution Service for 1992-93 and 1993-94. The revised information is set out in the table.

Department	*1989-90*	*1990-91*	*1991-92*	*1992-93*	*1993-94*
Legal Secretariat to the Law Officers	—	—	—	—	—
Crown Prosecution Service	620K(7)	477K(7)	471K(12)	665K(24)	[1]549K(33)
Serious Fraud Office	270K(3)	171K(4)	88K(2)	112K(9)	[1]126K(5)
Treasury Solicitor's Department	[2]5K(2)	Not known	54K(6)	335K(8)	428K(14)

Note: Figures in parentheses represent the number of contracts that year.

[1] Figures not yet complete.

[2] Approximate figure.

PRIME MINISTER

European Convention on Human Rights

Mr. Maclennan: To ask the Prime Minister when he expects to ratify the 11th protocol to the European convention on human rights.

The Prime Minister: The United Kingdom signed protocol 11 to the European convention on human rights on 11 May 1994, the date on which it was opened for signature. We intend to ratify the protocol in due course.

Student Awards

Mrs. Mahon: To ask the Prime Minister if the Departments of Social Security and of Employment and the Department for Education will jointly address funding of students aged over 19 years on full-time courses following the reduction in availability of discretionary awards.

The Prime Minister: Full-time higher education students at undergraduate level are generally eligible for a mandatory award, regardless of their age. The report of the independent survey of discretionary awards provision, published by the Gulbenkian Foundation on 8 April, estimates an increase of 20 per cent. in the total number of discretionary awards made between the 1990-91 and 1993-94 academic years.

My right hon. Friend the Secretary of State for Education is currently considering his response to the Gulbenkian report. My right hon. Friends and their Departments regularly consult on matters of mutual concern, including student support.

Government Information

Mr. Llew Smith: To ask the Prime Minister when he plans to publish his office's guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing his office's guidance.

The Prime Minister: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Pan Am 103

Mr. Dalyell: To ask the Prime Minister what discussions he has had with the Government of Germany about the attitudes of the legal authorities in Scotland and Germany towards those accused of perpetrating the crime against Pan Am 103 over Lockerbie.

The Prime Minister: None. The case is in the hands of the prosecuting authorities.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 14 June.

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 14 June.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

European Union

Mr. Winnick: To ask the Prime Minister whether continuing membership of the European Union is dependent on member Governments being opposed to all forms of authoritarian rule in their own country; and if he will make a statement.

The Prime Minister: It is a fundamental principle of the European Union, reflected in both the preamble and article F of the treaty on European Union, that its member states have systems of government founded on the principles of democracy.

Correspondence

Mrs. Roche: To ask the Prime Minister, pursuant to his answer of 18 May, *Official Report,* column *470,* if his office will seek to obtain a copy of the receipt and letter for the Ritz hotel in Paris referred to in the correspondence between the Prime Minister and Mr. Peter Preston, editor of *The Guardian.*

The Prime Minister: I have nothing further to add to the reply I gave on 18 May 1994, *Official Report,* column *470.*

Post Office

Mr. Gordon Prentice: To ask the Prime Minister, pursuant to his answer of 24 May, *Official Report,* column *102,* what considerations he is taking into account in determining whether a leak inquiry would be justified.

The Prime Minister: It is not the usual practice to give details about such matters.

Climate Change Conference

Mr. Chris Smith: To ask the Prime Minister if he plans to attend the first conference of the parties to the Framework convention on climate change to be held in Berlin from 27 March to 7 April 1995; and what will be his targets for the conference.

The Prime Minister: No decisions have yet been taken on attendance at the conference of parties in 1995. The convention requires that meeting to resolve a number of issues relating to the operation of the convention and the implementation of parties' commitments. The United Kingdom will be looking for a successful resolution of those issues.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Prime Minister how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

The Prime Minister: Information about job offers is not held centrally. For the areas covered by the Cabinet Office and Office of Public Service and Science votes, the number of applications to join companies is as follows:

Job applications under the business appointment rules

	1984	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
By Grade										
Grade 3 and above	1	1	1	3	6	3	4	7	—	1
Below Grade 3	—	—	1	—	—	—	1	—	2	4
By Function										
People in contract/procurement sections (under section 15 of rules)	—	—	—	—	—	—	—	—	—	3
People in other sections (under section 14 of rules)	1	1	2	3	6	3	5	7	2	2

Civil Rights (Disabled Persons) Bill

Mr. Madden: To ask the Prime Minister what considerations underlay the Government's decision not to seek to amend the Civil Rights (Disabled Persons) Bill at Committee stage; and if he will make a statement.

The Prime Minister: Although the Government share the aim of eliminating discrimination against disabled people, we favour specific legislation. Despite concerns about the Bill's clarity, affordability and practicality, we examined it in detail, in a considered way, at Committe stage to see whether any parts of it were appropriate and acceptable. Having decided that the Bill could not be accepted, the Government subsequently announced their intention to consult within six months on proposals for action in five key areas: employment, access to goods and services, financial services, access to buildings and the establishment of a new advisory body on disability.

Beggars

Mr. Austin Mitchell: To ask the Prime Minister how many letters he has received on the subject of beggars in the last three months.

The Prime Minister: I have received numerous representations.

Third-party Claims

Mr. Dalyell: To ask the Prime Minister, pursuant to his letter to the hon. Member for Linlithgow of 15 March, what success Her Majesty's Government have had in persuading eastern European countries, which are not yet members of the third-party liability regime, to join the convention system, and implement its provisions in their national law; and what agreements have been reached with recipient states on the indemnification of western countries for third-party claims in the event of an accident at a plant that they have assisted.

The Prime Minister: Several eastern European countries, among them Lithuania, Hungary, Poland and Romania, already belong to the Vienna convention. The Czech Republic acceded to it in March. Estonia acceded in May.

A number of other countries in eastern Europe and the former Soviet Union have still to accede. This is a matter of concern to all those interested in helping them to improve nuclear safety. Every opportunity, both bilaterally and multilaterally, is being taken to persuade them of the importance of acceding to the Vienna convention and implementing its provisions in their national legislation.

The Government of the United States have concluded interim indemnity agreements with Russia and Ukraine. These cover material provided under the United States bilateral nuclear safety assistance programmes to those two countries. As an interim measure, the European Commission is continuing to negotiate an appropriate indemnity from the Governments of Russia and Ukraine for European companies involved in the European Union nuclear safety assistance programme.

HEALTH

Per Capita Expenditure

Mr. Cousins: To ask the Secretary of State for Health what was the expenditure per head in cash and standard prices, for each region and nationally, on *(a)* hospital and community health services, *(b)* general practitioner services, excluding prescriptions, *(c)* general dental services, gross and net of charges and *(d)* general practitioners prescribed prescriptions for each year since 1991-92 and 1992-93.

Dr. Mawhinney: Expenditure on hospital and community health services, general practitioners' services, general dental services and general practitioner prescribed prescriptions in 1991-92 and 1992-93 will be placed in the Library.

Comparisons of per capita spend figures on hospital and community health services need to be treated with caution. First, not all the expenditure covered arises from population related activities. Secondly, crude populations do not reflect differences in age structure or relative health care need. These differences feature in the formulae used to inform the main allocations made to regional health authorities.

Primary Care

Ms Primarolo: To ask the Secretary of State for Health what was the expenditure per head of population on primary care by family health service authority, including fundholders' budgets, in the last available year.

Dr. Mawhinney: I refer the hon. Member to the reply I gave the hon. Member for Darlington (Mr. Milburn) on 26 May at column *305*.

Administration Costs

Ms Primarolo: To ask the Secretary of State for Health what percentage of health care spending is absorbed by administration *(a)* in the United Kingdom and *(b)* in the United States of America.

Dr. Mawhinney: Comparable figures are not available. There are no internationally accepted definitions of either health spending or of spending on administration of health services.

Diabetes

Mr. Gareth Wardell: To ask the Secretary of State for Health what evidence she has as to a causal link between the consumption of dairy products and the incidence of diabetes in children.

Mr. Sackville: While there have been suggestions of a relationship between the onset of insulin-dependent diabetes mellitus and the early introduction of cow's milk in the diet of infants, there is as yet no firm evidence of a causal link. This possibility will be examined in a study to be mounted in the south-west of England.

Coxsackie Virus

Mr. Tom Clarke: To ask the Secretary of State for Health what was the incidence of the coxsackie virus in England in the last two years; and in what geographical areas the problem has been identified.

Mr. Sackville: The incidence of coxsackie virus infection varies considerably between years, as in the case with many infectious diseases; the reported incidence of coxsackie virus infection was particularly low in 1993. Estimates of the incidence of coxsackie virus infection are based on voluntary reports made to the public health laboratory service communicable disease surveillance centre by microbiology laboratories throughout England and Wales. Inter-regional variation in reported incidence reflects both true variations in incidence and variations in diagnostic and reporting practice.

Coxsackie Virus Infection, 1992-93
Laboratory Reports to PHLS Communicable Disease Surveillance Centre

Regional Health Authority	*1992*	*[1]1993*
Northern	78	88
Yorkshire	56	28
Trent	83	51
East Anglian	32	12
North West Thames	37	11
North East Thames	13	12
South East Thames	28	17
South West Thames	36	10
Wessex	77	49
Oxford	33	14
South Western	126	94
West Midlands	81	21
Mersey	40	29
North Western	51	17
England	771	453

[1] 1993 data provisional

Mr. Tom Clarke: To ask the Secretary of State for Health what research is being undertaken into the coxsackie virus in England.

Mr. Sackville: The public health laboratory service is developing new diagnostic tests for coxsackie virus infections; these new tests should overcome many of the problems currently associated with the diagnosis of coxsackie infections.

The PHLS is also undertaking a retrospective analysis of the epidemiology of coxsackie virus infections in England and Wales over the last 20 years.

Research into dilated cardiomyopathies and persistent myopericarditis due to coxsackie viruses is being conducted by a teaching hospital in London.

There is a multicentre study of myalgic encephalomyelitis that is investigating whether there is an association between ME and, among other infections, coxsackie virus infection.

The Medical Research Council, which receives its grant in aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster, is supporting research at the university of Essex concerning the molecular analysis of receptors specifically in coxsackie virus A9.

NHS Trusts

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 16 May, *Official Report*, column *324*, if she will list for each NHS trust in the Trent region, those chairmen and non-executive directors who live outside the boundaries of the district health authority area within which that trust is situated.

Dr. Mawhinney: I refer the hon. Member to the reply I gave him on 16 May at column *324* and to the reply I gave the hon. Member for Sherwood (Mr. Tipping) on 25 May at columns *214-15*. The information for national health service trusts which lie within the boundaries of the remaining health authorities in Trent region is given.

BARNSLEY DISTRICT HEALTH AUTHORITY
Barnsley Community and Priority Services NHS Trust
Mr. R. Kefford
Mrs. M. Michaels

Barnsley District General Hospital NHS Trust
Mr. A. Sherriff
Mr. R. Cave
Mrs. M. Young

DONCASTER DISTRICT HEALTH AUTHORITY
Doncaster Healthcare NHS Trust
Mr. J. Lucas
Miss C. Fleming
Mrs. M. Spencer

LEICESTERSHIRE DISTRICT HEALTH AUTHORITY

West Lindsey NHS Trust
Mr. S. Buchanan-Parker
Mr. A. Roberts
Mr. D. Weir

Fosse Health NHS Trust
Mrs. G. Parker

NORTH DERBYSHIRE DISTRICT HEALTH AUTHORITY
Chesterfield & North Derbyshire Royal Hospital NHS Trust
Mr. P. Lindley

Community Healthcare Services (North Derbyshire) NHS Trust
Mrs. P. Spencer

ROTHERHAM DISTRICT HEALTH AUTHORITY
Rotherham General Hospitals NHS Trust
Mr. I. Stephen
Mr. M. Colbear
Mrs. G. Brooke

Rotherham Priority Services NHS Trust
Mr. J. Salmon
Mr. T. Palmer
Mr. J. Hyde

South Yorkshire Metropolitan Ambulance & Paramedic Service NHS Trust
Mr. J. Chambers
Mr. P. Threlfall
Mr. S. Mahon
Mrs. P. Battersby

SOUTHERN DERBYSHIRE DISTRICT HEALTH AUTHORITY
Community Health Services, Southern Derbyshire NHS Trust
Mr. C. Marsland
Mr. B. Billings

Southern Derbyshire Mental Health Unit NHS Trust
Miss K. Johnson

Derby City General Hospital NHS Trust
Mr. N. Woods

Consultants

Mr. Mullin: To ask the Secretary of State for Health (1) how much money was spent in each health region on merit awards for consultants;

(2) how many consultants received merit awards in 1993-94 in each health region.

Dr. Mawhinney: Information on the numbers of consultants who received distinction awards in 1993-94 in each health region is shown in the table. Information on money spent by region is not available centrally.

Distinction awards—analysis by region
England at 31 December 1993

Region	*Number*
Northern	371
Yorkshire	396
Trent	499
East Anglia	251
North West Thames	475
North East Thames	670
South East Thames	531
South West Thames	357
London SHAs	402
Wessex	294
Oxford	300
South Western	325
West Midlands	528
Mersey	264
North Western	459
Total	5,893

Note: Where a consultant works in more than one region he or she has been included in the total for each.

GP Co-operatives

Dr. Goodson-Wickes: To ask the Secretary of State for Health if, where general medical practitioners have formed co-operatives to provide out-of-hours cover for patients and those co-operatives are being provided with financial support by their local family health service authorities, that financial support is paid to the corporate body or other organisation operating the co-operative or personally to the individual general practitioners who make up the co-operative.

Dr. Mawhinney: Reimbursements under the statement of fees and allowances are made by family health services authorities to general practitioners.

Myalgic Encephalomyelitis

Mr. Watson: To ask the Secretary of State for Health what assessment she has made as to whether the NHS Pensions Agency policy in respect of myalgic encephalomyelitis sufferers is in line with her Department's position on the likelihood of recovery from myalgic encephalomyelitis; and what action she plans to take.

Mr. Sackville: The prognosis for any illness is a matter of clinical judgment in individual cases. The statutory requirement for the early payment of national health service pension benefits is that a person must be permanently incapable of discharging efficiently the duties of his or her employment.

Myasthenia Gravis

Mr. Gordon Prentice: To ask the Secretary of State for Health (1) what research the Government have commissioned into the causes and treatment of myasthenia gravis;

(2) how many people in each health region have been diagnosed as suffering from myasthenia gravis:

(3) what help and advice she has given to the Myasthenia Gravis Association.

Mr. Bowis: Figures for the numbers of people diagnosed as having myasthenia gravis who have been admitted to hospital are published in volume 1 of the "Hospital Episode Statistics", copies of which are available in the Library. The main agency through which the Government support biomedical and clinical research is the Medical Research Council which receives its grant in aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster. The MRC is always willing to consider scientifically sound proposals for research. At present, the council funds two groups specifically to investigate myasthenia gravis: one at Oxford to investigate immune mechanisms and immunotherapy in myasthenia; the second at Newcastle upon Tyne investigates altering a T cell epitope in experimental autoimmune myasthenia gravis. The Myasthenia Gravis Association has not approached the Department for help or advice.

Osteoporosis

Dr. Marek: To ask the Secretary of State for Health what advice she is to receive regarding osteoporosis; and when she intends to publish it.

Mr. Sackville: An expert group was set up last November to provide advice on the current state of knowledge and research about osteoporosis, and what further work needs to be done. We have yet to receive the group's advice, and will need to consider in the light of it any further action that is indicated.

Private Care Homes

Mr. Hardy: To ask the Secretary of State for Health if the guidance issued by her Department in 1989 in regard to the placing of national health service patients in private nursing or residential homes still stands; and if she will make it her policy that no such patient will be placed in a home if this compels that patient to take personal responsibility for the charges made by the home.

Mr. Bowis: Where a person is assessed as requiring long-term care secured by the national health service and is placed in a private nursing or residential care home, the national health service will be responsible for meeting the full costs of care.

NHS Property and Land

Mr. Gordon Prentice: To ask the Secretary of State for Health if she will make it her policy for valuation reports on surplus national health service land and property prepared for regional health authorities by district valuers to be made available for public inspection after the sale has been concluded.

Mr. Sackville: It would be inappropriate for valuation reports to be publicly available, whether made by the district valuer or the private sector. Those reports are commercially confidential, and the release of price-sensitive information could disadvantage future land and property transactions.

Equal Opportunities

Mr. Watson: To ask the Secretary of State for Health what steps she intends to take to ensure that NHS trusts and health authorities detail in their business plans arrangements to ensure that all staff involved in recruitment and selection receive training in fair procedures and that records are kept, as set out in the Goal One instruction contained in the document, "Ethnic Minority Staff in the NHS: A Programme for Action"; and what steps she intends to take to ensure that this requirement is drawn to the attention of general practitioners.

Dr. Mawhinney: We expect all national health service health authorities and trusts to comply with each of the relevant goals in the programme of action, and family health services authorities to ensure that general practitioners are made aware of the programme's principles of good employment practice which it contains.

Mr. Watson: To ask the Secretary of State for Health how many GPs have refused to comply with the Goal One instruction contained in the document, "Ethnic Minority Staff in the NHS: A Programme for Action".

Dr. Mawhinney: Compliance is a matter for national health service employers.

Rights of the Child

Ms Corston: To ask the Secretary of State for Health (1) what steps have been taken by her Department in fulfilment of article 24, on health and health services, of the UN convention on the rights of the child adopted by the United Kingdom Government in December 1991;

(2) what steps have been taken by her Department in fulfilment of article 23(1) (2) (3) and (4), on disabled children, of the UN convention on the rights of the child adopted by the United Kingdom Government in December 1991;

(3) what steps have been taken by her Department in fulfilment of article 32, on child labour, of the UN convention on the rights of the child adopted by the United Kingdom Government in December 1991.

Mr. Bowis: The information requested is contained in the United Kingdom's first report to the UN Committee on the Rights of the Child, which was published in March 1994, and copies of which were placed in the Library.

Health Authority Mergers

Mr. Wilshire: To ask the Secretary of State for Health what is her policy on the advertising of vacancies for chief executives designate of merged health authorities before a merger has been agreed.

Dr. Mawhinney: It is good management practice to make adequate preparations to ensure that mergers, if agreed, are effectively managed. In many cases this may necessitate advertising the post of chief executive designate in advance of the decision on the merger application being made.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Health in what circumstances it is her Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if she will arrange for her Department to do so in all cases in future.

Mr. Sackville: Responses to consultation documents are usually sought on the understanding they may be made public, unless those responding explicitly ask for them to remain confidential. This practice has been strengthened by the code of practice on access to government information, published in April.

Nuclear Weapons

Mr. Austin Mitchell: To ask the Secretary of State for Health whether she has been consulted by, or made representations to, the Foreign and Commonwealth Office on the application to the International Court of Justice on the legality of nuclear weapons made by the World Health Organisation; and what representations she has made to the World Health Organisation on its submission.

Dr. Mawhinney: I refer the hon. Member to the replies the Minister of State for Foreign and Commonwealth Affairs—my right hon. and learned Friend the Member for Grantham (Mr. Hogg)—gave him on 1 February at column *605* and 28 February at column *547*, which stated that the

Government's submission to the International Court of Justice will set out the position of the Government on this issue. Relevant Departments, including the Department of Health, have therefore been consulted. The Department has made no representation to the World Health Organisation about its submission to the court.

Generic Prescribing

Ms Primarolo: To ask the Secretary of State for Health (1) if she will publish the name of the general practitioner achieving the highest percentage of generic prescribing;

(2) what percentage of *(a)* fundholder and *(b)* non-fundholder general practitioners are prescribing (i) 50 to 55 per cent., (ii) 55 to 60 per cent., (iii) 60 to 65 per cent. and (iv) 65 to 70 per cent. generically.

Dr. Mawhinney: The information is not available centrally.

Disciplinary Procedures

Ms Primarolo: To ask the Secretary of State for Health what recommendation was made by the joint working party on disciplinary procedures in relation to monitoring of the procedures, collection of data and the reviewing of the procedures; to what extent this recommendation has been implemented; and what data have been collected.

Dr. Mawhinney: A joint working party to review hospital and community doctors' and dentists' disciplinary procedures reported in 1988. One recommendation was:

> "Arrangements for monitoring the new procedures, including the regular collection of data, should be introduced and that the effectiveness of the procedures should be reviewed after a period of three years from the date of implementation".

Circular HC(90)9, copies of which are available in the Library, asked authorities to maintain anonymised returns of cases brought under the new procedures in order to inform a new joint working party which would review that circular. The new JWP was established in April 1993 and information gathered. However, it did not offer a full picture because of the introduction of trusts, which are free to develop their own disciplinary procedures. We are considering the options following this review.

NHS Facilities (Visits)

Ms Primarolo: To ask the Secretary of State for Health if she will make a statement on *(a)* her rights and *(b)* the rights of the Opposition spokesperson to visit any NHS facility.

Dr. Mawhinney: I expect national health service authorities and trusts to welcome visits by hon. Members, subject only to their being able to make proper arrangements for the reception of the visitor and to avoid disruption of services to patients.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Health how many job offers were reported by staff in her Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Sackville: The information requested is available for Department of Health staff from 1989. There were three staff of grade 3 and above that reported job offers: one each in 1990, 1991 and 1992, all of which resulted in formal applications to take up appointment and were subsequently approved by the Advisory Committee on Business Appointments. There were no reported job offers by staff below grade 3 or those in sections concerned with procurement or contract work.

Budget Statistics

Ms Primarolo: To ask the Secretary of State for Health what was *(a)* the staff budget and *(b)* the total budget in each year since 1989 for her Department and the NHS Executive.

Mr. Sackville: Information is shown in the table on the budgets for staff costs and total administration costs for the Department as a whole—including the National Health Service Executive, but excluding the agencies—and separately for the executive since 1990-91, the earliest year for which these figures are available.

	1990-91 £000's	*1991-92 £000's*	*1992-93 £000's*	*1993-94 £000's*
Staff Budget: Whole Department	82,968	87,540	95,172	99,351
Of Which:				
Staff Budget: NHS Executive	24,300	20,912	30,089	25,135
Total Administrative Budget: Whole Department	221,391	260,966	297,922	237,228
Of Which:				
Total Administrative Budget: NHS Executive	31,615	27,066	43,115	34,831

Source: Annual accounts and budgetary control reports of the Department of Health.

Notes:

1. Figures have not been adjusted for inflation.
2. Figures for the NHS Executive are not directly comparable from year to year because of organisational changes between the NHS Executive and the rest of the Department.
3. Figures for the whole Department include the NHS Executive, but do not include the Departments' agencies.

Disability

Mr. Alan Howarth: To ask the Secretary of State for Health what plans the Government have for participation in the European Union's third action programme for disabled people for the period 1992 to 1996.

Mr. Bowis: The Government have arranged for 78 organisations to represent the United Kingdom in the European Union's third action programme for disabled people, Handicapped People Living in Europe Independently in an Open Society—HELIOS—II, and hosted a United Kingdom HELIOS II national information day in London on 16 March 1994.

Health Authority Funding

Mr. Ainger: To ask the Secretary of State for Health what provision was made in the cash allocations to health authorities in 1994-95 for changes in statutory sick pay regulations.

Mr. Sackville: Specific allocations are not made for individual pay or price pressures. Health authorities are expected to manage within the total resources available to them. Provided pay rises are earned through increased efficiency, hospital and community health services activity will increase by around 4 per cent. this year.

Mr. Ainger: To ask the Secretary of State for Health what was the total revenue allocation for regional health authorities in each year since 1988-89, including 1994-95; and what was the percentage change in each year.

Mr. Sackville: Total cash limits for each regional health authority from 1988-89 to 1994-95 are shown in the table.

Total Revenue Regional Allocations 1988-89—1994-95

£'000s

Region	*1988-89*	*1989-90*	*1990-91*	*1991-92*	*1992-93*	*1993-94*	*1994-95*
Northern	797,242	848,201	919,839	1,147,719	1,296,989	1,405,474	—
Yorkshire	892,850	951,237	1,038,375	1,319,565	1,506,424	1,683,748	—
Northern and Yorkshire	—	—	—	—	—	—	3,135,357
Trent	1,108,652	1,186,453	1,306,016	1,624,908	1,857,143	2,090,721	2,122,377
East Anglia	476,823	509,021	573,993	679,020	772,669	870,369	—
Oxford	528,725	571,433	625,762	782,812	901,697	987,004	—
Anglia and Oxford	—	—	—	—	—	—	1,917,369
North West Thames	921,523	987,621	1,095,615	1,414,088	1,607,377	1,698,024	—
North East Thames	1,159,454	1,216,604	1,343,012	1,576,063	1,741,036	1,916,795	—
North Thames	—	—	—	—	—	—	3,819,284
South East Thames	1,021,511	1,070,897	1,197,440	1,456,340	1,608,091	1,818,090	—
South West Thames	821,339	866,172	974,174	1,174,744	1,306,669	1,399,450	—
South Thames	—	—	—	—	—	—	3,291,405
Wessex	664,598	711,839	799,142	1,000,087	1,148,345	1,299,640	—
South Western	786,162	843,043	929,814	1,191,631	1,355,032	1,499,430	—
South and West	—	—	—	—	—	—	2,857,420
West Midlands	1,278,807	1,358,535	1,475,301	1,776,990	1,990,023	2,208,628	—
Mersey	643,564	680,280	741,964	945,184	1,068,046	1,159,332	—
North Western	1,098,130	1,161,388	1,264,943	1,485,585	1,665,604	1,798,677	—
North West	—	—	—	—	—	—	3,041,056
ENGLAND TOTAL	12,199,380	12,962,724	14,285,390	17,574,736	19,825,145	21,835,382	22,488,406
Yearly Percentage Change	—	6·3 per cent.	10.2 per cent.	23·0 per cent.	12·8 per cent.	10·1 per cent.	3·0 per cent.

Notes: 1. Final revenue cash limits include adjustments and transfer between revenue and capital.
2. The 1994-95 figure is the initial cash limit and will be amended during the year.
3. Regional health authorities were restructured in 1994-95.
4. Up to 1990-91 regional allocations were made on the basis of the population treated within the region (catchment populations). From 1991-92 allocations have been made for resident populations irrespective of where residents are treated. Because of this change regional figures before and after 1991-92 are not strictly comparable.
5. Changes were made to the definition of capital spending in 1993-94. Some items of expenditure formally treated as capital are now treated as revenue.

Mr. Ainger: To ask the Secretary of State for Health what was the total amount of cash top sliced by regional health authorities from their allocations in each year since 1988-89, including 1994-95; and what was the total cash available to district health authorities for discretionary use in each year.

Mr. Sackville: In 1993-94 regional health authorities top sliced £2 billion from their allocations for resident population and allocated £15·5 billion to district health authorities to spend on their resident population. In 1994-95 the figures were £1·8 billion and £16·6 billion respectively. Information is not available centrally prior to 1993-94.

Powered Wheelchairs

Mrs. Peacock: To ask the Secretary of State for Health what assessment she has made of the benefit to permanently disabled adults and children of providing them with an indoor/outdoor powered wheelchair; how many permanently disabled adults and children there are; and what would be the total cost of providing each of them with such a powered wheelchair.

Mr. Bowis: Decisions about the issue of wheelchairs, including powered indoor/outdoor wheelchairs, are matters for health authorities and national health service hospital and community care units—trusts—in the light of their resources and priorities.

Excluding those on the blind register and those with mental disabilities, the number of people registered as disabled with local authorities at 31 March 1993 was 1,336,925. Of these, 679,057 were classified as being very severely, severely or appreciably handicapped. Not all of these people will require a wheelchair.

In the 12 months to 31 March 1993, the number of wheelchairs, including powered wheelchairs, on issue by the NHS in England was 179,308 and expenditure on the wheelchair service was £39,859,696. There are no figures available centrally about the total cost of providing powered indoor/outdoor wheelchairs to everyone who might benefit from them.

The cost of each such wheelchair will vary considerably according to the user's needs and can range from a standard model costing around £2,500 up to £20,000 for sophisticated wheelchairs for people with very severe disabilities.

NHS Pay Settlement

Mr. Blunkett: To ask the Secretary of State for Health what discussions she, or her officials, have had with representatives of the Epsom Healthcare NHS trust, regarding arrangements for meeting the pay increase recommended by the pay review bodies.

Dr. Mawhinney: The trust has advised that it will be making pay awards, agreed locally, in line with the recommendations of the national pay review bodies. These increases have been implemented with effect from 1 April 1994.

Mr. Blunkett: To ask the Secretary of State for Health (1) what advice has been issued by her Department or the NHS Executive regarding the pay settlement recommended by the pay review bodies; and if she will make a statement;

(2) what is the total number of NHS trusts which have so far declared themselves unable to fund the pay increase recommended by the pay review bodies; and if she will list them.

Dr. Mawhinney: No advice has been issued and no trusts have declared themselves unable to fund the pay increase.

Job Evaluation

Mr. Blunkett: To ask the Secretary of State for Health how many NHS trusts currently have contracts with external consultants for job evaluation programmes within the trust; and what data are being collected by her Department on total expenditure on such contracts.

Dr. Mawhinney: It is for each individual national health service trust to determine whether it wishes to employ external consultants for this purpose. The information is not available centrally.

Maternal Deaths

Mr. Wigley: To ask the Secretary of State for Health if she will list the numbers of (i) direct maternal deaths, (ii) indirect maternal deaths, (iii) fortuitous maternal deaths and (iv) late maternal deaths in England and Wales reported to the confidential inquiry into maternal deaths in each of the three-year periods 1985-87 and 1988-90 which were of women born in *(a)* the United Kingdom, *(b)* the Republic of Ireland, *(c)* the New Commonwealth and Pakistan, *(d)* other countries and *(e)* unstated countries.

Mr. Sackville: The information is contained in the table. Data are available for the 1988 to 1990 period only.

Confidential enquiries i[illegible]aternal Deaths 1988-90
England and Wales
Category of death by place of birth

	Direct[1]	*Indirect*[2]	*Fortuitous*[3]	*Late*[4]
United Kingdom	89	59	19	26
Republic of Ireland	—	—	1	—
New Commonwealth and Pakistan	20	6	4	8
Other countries	3	3	—	1
Not stated	27	14	10	7
Totals	139	82	34	42

[1] Direct = Death was directly related to obstetrics.

[2] Indirect = Pregnancy was related, but not the primary cause of death.

[3] Fortuitous = Death was unconnected with pregnancy.

[4] Late = Death occurred more than 42 days after cessation of pregnancy.

Mr. Wigley: To ask the Secretary of State for Health if she will list the numbers of (i) direct maternal deaths and (ii) indirect maternal deaths registered in England and Wales in each of the three-year periods 1985-87, 1988-90 and 1991-93 which were of women born in *(a)* the United Kingdom, *(b)* the Republic of Ireland, *(c)* the New Commonwealth and Pakistan, *(d)* other countries and *(e)* unstated countries.

Mr. Sackville: The information is shown in the table. Information for 1993 is not yet available.

Deaths of women aged 16 to 50 from complications of pregnancy, childbirth and the puerperium by country of birth, 1985-87, 1988-90 and 1991-92, England and Wales

Country of birth	*Maternal deaths*					
	Direct[1] *(ICD9 630-646, 649-676)*			*Indirect*[2] *(ICD9 647, 648)*		
	1985-87	*1988-90*	*1991-92*	*1985-87*	*1988-90*	*1991-92*
Total	114	129	81	23	25	9
United Kingdom	90	102	57	20	23	6
Republic of Ireland	3	1	1	—	—	—
New Commonwealth and Pakistan	12	18	13	3	2	1

Country of birth	*Maternal deaths*					
	Direct[1] *(ICD9 630-646, 649-676)*			*Indirect*[1] *(ICD9 647, 648)*		
	1985-87	*1988-90*	*1991-92*	*1985-87*	*1988-90*	*1991-92*
Other countries	9	8	10	—	—	2
Unstated countries	—	—	—	—	—	—

[1] International classification of diseases 9th revision—ICD9—630-676 cover complications of pregnancy, childbirth and the puerperium. Of these, ICD9 647 and 648 may be considered indirect causes of the pregnancy as they cover conditions in the mother classifiable elsewhere in the ICD9 but complicating pregnancy, childbirth and the puerperium. The remaining conditions may be considered direct causes relating to pregnancy, childbirth and the puerperium.

Notes:

1. There may have been other deaths to women who were pregnant or had recently given birth where this information was not shown on the death certificate or was not selected as the underlying cause of death.
2. There are no data yet available for 1993.

Hospital Integration Support

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 21 April, *Official Report*, columns *661-62*, which hospitals received financial support under the hospital integration support systems project; and to what amount in each year.

Mr. Sackville: Tables have been placed in the Library which identify those hospitals which have received either capital or revenue funding from the hospital information support systems initiative.

Ambulance Service

Mr. Blunkett: To ask the Secretary of State for Health how many *(a)* officers and *(b)* ambulance men and women were in post per thousand resident population in each year since 1991-92 in each regional health authority.

Mr. Sac[illegible] *[holding answer 19 May 1994]:* The information available is shown in the tables.

Number of ambulance staff (whole-time equivalent) in post per thousand resident population in each regional health authority area in England

	Estimated population (provisional) thousand	*Ambulance officers and control assistants*		*Ambulance men and women*	
		Whole-time equivalent	*Per 1,000 population*	*Whole-time equivalent*	*Per 1,000 population*
September 1991					
Northern	3,091·7	170	0·05	1,100	0·36
Yorkshire	3,680·9	220	0·06	1,340	0·36
Trent	4,719·8	280	0·06	1,580	0·33
East Anglian	2,082·7	130	0·06	670	0·32
North West Thames	1,519·1	40	0·03	420	0·28
North East Thames	1,476·0	70	0·05	490	0·33
South East Thames	2,251·7	120	0·05	790	0·35
South West Thames	1,757·0	100	0·05	550	0·32
Wessex	2,979·4	140	0·05	810	0·27
Oxford	2,560·0	130	0·05	700	0·27
South Western	3,298·6	220	0·07	1,250	0·38
West Midlands	5,265·6	260	0·05	1,580	0·30
Mersey	2,415·8	90	0·04	730	0·30
North Western	4,011·2	200	0·05	1,310	0·33
London Ambulance Service	7,098·7	170	0·02	1,970	0·28
Total	48,208·2	2,340	0·05	15,290	0·32
September 1992					
Northern	3,089·9	180	0·06	1,150	0·37
Yorkshire	3,698·0	220	0·06	1,290	0·35
Trent	4,745·0	270	0·06	1,550	0·33
East Anglian	2,089·4	120	0·06	670	0·32
North West Thames	1,529·0	80	0·05	550	0·36
North East Thames	1,484·6	70	0·05	460	0·31
South East Thames	2,258·9	120	0·05	800	0·35
South West Thames	1,761·9	100	0·06	590	0·33
Wessex	2,993·3	140	0·05	810	0·27
Oxford	2,581·4	120	0·05	710	0·27
South Western	3,315·9	220	0·07	1,260	0·38
West Midlands	5,277·6	320	0·06	1,580	0·30
Mersey	2,415·5	90	0·04	710	0·29
North Western	4,018·0	170	0·04	1,300	0·32
London Ambulance Service	7,113·9	210	0·03	2,010	0·28
Total	48,378·3	2,420	0·05	15,420	0·32

Sources:

1. Work force: Department of Health statistical survey – KM49.
2. Population figures: Office of Population Censuses and Surveys.

Notes:

1. Includes data for NHS trusts in each region.
2. It is not possible to disaggregate the numbers of officers and control assistants.
3. The 1991 figures for Northern region and 1992 figures for North West Thames region have been corrected and vary from those published previously. The 1992 population figures—estimates—have been updated and vary from those published previously.
4. London ambulance service population figures determined by using districts in the four Thames regions whose ambulance service is covered by the LAS.

Mouth Cancer

Ms Primarolo: To ask the Secretary of State for Health how many notifications and deaths from mouth cancer have been recorded for each of the last five years, by region, age, gender and socio-economic group.

Mr. Sackville *[holding answer 23 May 1994]:* Data on cancer registrations for England and Wales and for the regions by site, sex and age are published in the "Cancer Statistics", series MB1. Tables will be placed in the Library which show the number of deaths from mouth cancer—international classification of diseases 140-145—by regional health authority, age, sex and social class.

Waiting Lists Initiative

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 17 May, *Official Report*, column 424, if she will provide details of *(a)* funds allocated for each regional health authority under the waiting list initiative announced 17 February and *(b)* how much of each regional health authority allocation was spent on the purchase of services from independent sector providers, giving details of the independent providers involved and the value of the contracts.

Dr. Mawhinney *[holding answer 23 May 1994]:* The information is shown in the table. Initial returns show that at least 38,000 in and out-patients have benefited from earlier treatment as a result of the Government's initiative.

Value of health care bought from private hospitals resulting from £12 million made available under the waiting list initiative in February 1994

Regional health authority[1]	*Allocation (£)*	*Value of health care bought from private hospitals*		*Number of patients treated in private facilities*
Northern	951,000	The Nuffield Hospital, Newcastle –	£175,000	70
Yorkshire	1,094,000	The Nuffield Hospital, Hull and The East Riding BUPA Hospital, Anlaby –	£154,000	163
		The Falloden Hospital, Leeds –	£5,400	32
Trent	880,000	None		
East Anglia	110,000	The Evelyn Hospital, Cambridge and The Cambridge Lea Hospital –	£80,000	56
North West Thames	1,057,000	None		
South East Thames	1,179,000	None		
South West Thames	909,000	None		
Wessex	716,000	None		
Oxford	651,000	The Paddocks Hospital, Aylesbury –	£4,000	6
		AMI Chiltern, Great Missenden –	£7,000	4
South Western	971,000	The Taunton Nuffield, The Exeter Nuffield, and The Woodmill Hospital, Exeter –	£84,000	84
		St. Mary's Hospital, Bristol –	£155,000	55
		The Woodmill Hospital, Exeter –	£130,000	42
West Midlands	1,520,000	None		
Mersey	729,000	None		
North Western	1,233,000	None		
Total	12,000,000		£794,400	512

[1] No bid for additional funding was received from North East Thames RHA.

Health Visitors

Ms Primarolo: To ask the Secretary of State for Health (1) how many health visitors are employed in each district health authority area;

(2) how many health visitors are employed in relation to the number of children in each health authority area.

Mr. Sackville *[holding answer 26 May 1994]:* The information will be placed in the Library.

OVERSEAS DEVELOPMENT ADMINISTRATION

China

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all non-governmental organisations, international associations and companies which received funds from Her Majesty's Government for projects in China together with the projects and the amounts involved in each case for 1991-92 and 1992-93.

Mr. Lennox-Boyd: A list of those projects that received United Kingdom bilateral assistance in 1991-92 and 1992-93, showing expenditure and the organisations involved, has been placed in the Libraries of the Houses.

Under the European Union co-operation programme, disbursements to China in 1991-92 and 1992-93 were 24 mecu—£18·47 million—United Kingdom share £2·96 million.

ODA contributed £304,000 to the United Nations Industrial Development Organisation over these two years for an artificial limb factory project in Fuzhou.

The World Food Programme's food aid commitments to China for 1991, 1992 and 1993 totalled 412,000 tonnes.

The United Nations Population Fund, the International Planned Parenthood Federation, the United Nations Development Programme, the United Nations Children's Fund and the Food and Agriculture Organisation have programmes in China. Our contributions to the core budgets of these agencies in 1991-92 and 1992-93 were as follows:

	£ million
UNFPA	16·5
IPPF	14·5
UNDP	58·0
UNICEF	18·5
FAO	19·8

I refer the hon. Gentleman to the annual reports of the World bank, the International Finance Corporation and the Asian Development bank, which are in the House of Commons Library, for details of the activities they support in China.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what gaps there are in the food pipeline to Rwanda; and how is it proposed to close them.

Mr. Lennox-Boyd: Despite major logistical problems, the World Food Programme is maintaining basic food supplies to all the refugee camps bordering Rwanda, and is also moving supplies into both north and south Rwanda. We are providing £1·25 million of emergency food aid. In addition, we have given two mobile grinding mills to WFP for the production of maize flour, at a cost of £290,000.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about cholera outbreaks in Burundi and the extent to which these are connected with refugees from Rwanda; and how the international community is responding to them.

Mr. Lennox-Boyd: Some 60 cases of cholera have been reported in the Burundian capital, Bujumbura, with no evident link to refugees from Rwanda. United Nations agencies are presently monitoring the situation.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the role of the World Health Organisation in a crisis such as the situation in Rwanda; and what assessment he has made of how the organisation is fulfilling that role in Rwanda.

Mr. Lennox-Boyd: The World Health Organisation has responded quickly to the situation in Rwanda. It is a member of the United Nations humanitarian advance team in Nairobi and has also participated in the United Nations flash appeal. It has dispatched seven emergency health kits—each provides medical supplies for 70,000 beneficiaries for three months—for Rwanda refugees in surrounding countries. It is establishing four stations to monitor cross-border assistance into Rwanda. It is too early to assess how well the WHO is fulfilling its role as the leading health agency in this emergency situation.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the findings of the recent Overseas Development Administration mission to Rwanda; and if he will make a statement.

Mr. Lennox-Boyd: The Overseas Development Administration mission visited the Kagera region of north-western Tanzania, the Kabale district in southern Uganda, and the Byumba prefecture in northern Rwanda on 21 to 26 May 1994.

The mission found that the British emergency aid already provided has been used effectively and was much appreciated, and that the relief efforts of the UN agencies, particularly UNHCR in northern Tanzania, the non-governmental organisations and the Red Cross movement were impressive and well co-ordinated. The political situation remains volatile and the refugee exodus is continuing. External emergency aid will be required for the foreseeable future.

The main conclusions of the mission are that our future strategy should focus on:

improving the strategic planning and management of the overall humanitarian aid operation

expanding the operational capacity of non-governmental organisation implementing agencies to reach refugees/displaced in greatest need

responding to the governments of Tanzania and Uganda concerns regarding the environmental impacts of the crisis.

As a result of these findings, my noble Friend the Minister for Overseas Development announced on 2 June that Britain is allocating a further £5 million of emergency aid to support displaced and refugees in Rwanda and neighbouring countries. This brings the amount of emergency aid provided bilaterally since April 1994 to over £11 million.

Aid (Military Expenditure)

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what element of military expenditure is included in Britain's aid figures.

Mr. Lennox-Boyd: None.

Multilateral Aid

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of Britain's aid budget contributes to multilateral aid; and how this has changed over the past five years.

Mr. Lennox-Boyd: The information is as follows:

Multilateral assistance as a percentage of total ODA assistance

	Percentage
1988-89	41
1989-90	37
1990-91	36
1991-92	45
1992-93	46

Ethiopia and Eritrea

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what he estimates to be the scale of the present food shortage in Ethiopia and Eritrea; what are the problems that he expects to arise in the coming months; and what assessment he has made of the adequacy of the international response to the problem.

Mr. Lennox-Boyd: Further to my answer of 10 May, col. 79, the World Food Programme reports that 1994 food aid pledges to Ethiopia stand at 900,000 tonnes. For Eritrea, the WFP and the FAO estimate 1994 food aid needs at 255,000 tonnes, of which 180,000 tonnes have been pledged. The main priorities in the coming months are to fulfil pledges promptly and to ensure adequate and timely distribution of food aid to areas in need.

Aid Budget

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of Britain's bilateral aid budget is spent on humanitarian relief; and how this percentage figure has changed over the past five years.

Mr. Lennox-Boyd: The information is as follows:

Bilateral humanitarian assistance[1]
as a percentage of total ODA bilateral assistance

	Percentage
1988-89	8
1989-90	5
1990-91	6
1991-92	14
1992-93	13

[1] ODA uses certain multilateral agencies as a means of delivering assistance to individual countries. This expenditure has been included in the figures above in order to provide a complete picture of ODA's bilateral humanitarian assistance effort.

OECD Development Assistance Committee

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries in central and eastern Europe now qualify as developing countries recognised by the OECD's development assistance committee.

Mr. Lennox-Boyd: All countries in central and eastern Europe which receive aid are listed in the Development Assistance Committee's list of aid recipients. Those which appear in that part of the list detailing countries whose aid receipts count as official development assistance are: Tajikistan, Armenia, Kyrgystan, Georgia, Uzbekistan, Azerbaijan, Turkmenistan, Kazakhstan, Albania and the states of ex-Yugoslavia. Full details are given in the Development Assistance Committee chairman's report for 1993, entitled "Development Co-operation: Aid in Transition", a copy of which is held in the Library of the House.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of gross national product in rank order is contributed in and by each member of the OECD's development assistance committee.

Mr. Lennox-Boyd: The information is as follows:

Net Official Development Assistance as a Percentage of Gross National Product in 1992, all DAC Donor Countries

	Percentage
Norway	1·16
Sweden	1·03
Denmark	1·02
Netherlands	0·86
France	0·63
Finland	0·62
Canada	0·46
Switzerland	0·46
Germany	0·39
Belgium	0·39
Portugal	0·36
Australia	0·35
Italy	0·34
United Kingdom	0·31
Japan	0·30
Austria	0·30
Spain	0·26
Luxembourg	0·26
New Zealand	0·26
United States of America	0·20
Ireland	0·16

Asylum Seekers

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Britain counts debt forgiveness for non-Overseas Development Administration export credits in ODA totals; and whether care for asylum seekers is counted in his figures for overseas development assistance.

Mr. Lennox-Boyd: Debt forgiveness in relation to officially supported export credits is included in the United Kingdom's total official development assistance figures in accordance with the OECD Development Assistance Committee's guidelines. In the financial year 1992-93, the total debt forgiven for agreements under the Toronto and Trinidad terms in respect of officially supported export credits was £51·1 million.

Assistance to asylum seekers is not included in the United Kingdom's total official development assistance.

Food Aid

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are to transfer responsibility for programmable food aid to the European Community Humanitarian Office; and what is Her Majesty's Government's policy on this matter.

Mr. Lennox-Boyd: There have been reports for some time that the Commission was considering transferring responsibility for all Community food aid to the European Community Humanitarian Office. However, we know of no firm plans to do so. Were the Commission to take this step, which is within its management prerogative, our attitude would be based on our assessment of the impact the move might have on the overall effectiveness of Community food aid.

Aid and Trade Provision

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the Government's review of the aid and trade provision.

Mr. Lennox-Boyd: I refer the hon. Member to the reply I gave the hon. Member for Monklands, West (Mr. Clarke) on 15 March, *Official Report*, col. *586*.

Central and Eastern Europe

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how much was spent on aid to central and eastern Europe this year; and how much has been spent in each of the past five years, with the overall percentage change in spending over the period.

Mr. Lennox-Boyd: Figures for the current financial year and for 1993-94 are not yet available. Bilateral spending in central and eastern Europe and the former Soviet Union in previous years was as follows:

£ thousands

	CEE	*FSU*
1989-90	63,888	31
1990-91	14,673	2
1991-92	27,025	26,845
1992-93	32,719	15,832

The CEE figure for 1989-90 includes an exceptional United Kingdom contribution of US$100 million, £61·71 million, to the currency stabilisation fund for Poland. If this is excluded, spending in the CEE increased over the period 1989-90 to 1992-93 by 1,402 per cent. When the FSU is included, the percentage increase is 2,097 per cent. The figures exclude United Kingdom contributions made through multilateral agencies.

North-West Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the role of the World Health Organisation in the development of areas such as north-west Somalia; and what assessment he has made of how the organisation is fulfilling that role in north-west Somalia.

Mr. Lennox Boyd: The World Health Organisation informs us that, in addition to providing emergency assistance to north-west Somalia, it is establishing longer-term support to enable improvements to the existing health care system, better disease control and continuing provision of vaccines and drugs. Reports to date suggest that the WHO has made some limited progress in difficult circumstances.

Albania

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what policy the European Union has on giving aid to Albania; and when he expects that such assistance will reach Albania.

Mr. Lennox-Boyd: The European Community programme of assistance to Albania started in 1991, initially in the form of humanitarian and food aid. It was extended in 1992 to include longer-term technical assistance under the PHARE programme and balance of payments support. The allocations for humanitarian and food aid have been fully disbursed together with the first tranche of balance of payments support. A further tranche of balance of payments support is expected to be agreed shortly. Approximately half the technical assistance so far committed under the PHARE programme has been disbursed.

Crown Agents

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the role the Crown Agents have in the procurement cycle in relationship to private military, security or police companies.

Mr. Lennox-Boyd: The Crown Agents have associated with Securicor plc on a number of tenders to public sector bodies. They have not placed any orders under this arrangement.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what private military, security or police companies are currently under contract or licence to the Crown Agents.

Mr. Lennox-Boyd: None, other than the employment of Pegasus Security Group by the Crown Agents to meet their own office security requirements.

FOREIGN AND COMMONWEALTH AFFAIRS

Commonwealth Institute

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has received from the Commonwealth Institute about its future; and when he intends to respond.

Mr. Lennox-Boyd: The institute's board has prepared the outlines of a relaunch plan. This will be examined in further detail at the board's executive committee meeting on 21 June at which the Secretary of State's representative will be present.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations or proposals he has from the Commonwealth Institute, Scotland about its future; and what response he has given.

Mr. Lennox-Boyd: The chairman of the Commonwealth Institute, Scotland has submitted a plan for keeping the body in being after 1996. This will be examined at the institute's executive committee meeting on 21 June, at which the Secretary of State will be represented.

South Africa

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the procedures and time scales involved in dealing with a South African application to rejoin the Commonwealth.

Mr. Lennox-Boyd: The Commonwealth Secretary-General announced on 31 May 1994 that, following consultations with member Governments, he had accepted South Africa's application to rejoin the Commonwealth and its renewed membership would be effective on 1 June 1994.

Proposals will be put before the House in due course to give effect to South Africa's resumption of Commonwealth membership as it relates to Great Britain and Northern Ireland.

Private Members' Bills

Ms Lynne: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions since April 1992 Ministers from his Department have *(a)* requested parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Heathcoat-Amory: Parliamentary counsel drafts not on behalf of private members but on the instructions of Departments acting on the authority of Ministers. With the authority of Ministers, amendments were drafted by parliamentary counsel on the instructions of the Foreign and Commonwealth Office and subsequently passed to the private Member sponsoring the Antarctic Bill.

Rwanda

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he supports the appointment of special rapporteurs for Rwanda and Burundi; and if he will make a statement.

Mr. Lennox-Boyd: We supported the creation by the Commission on Human Rights of the post of special rapporteur on Rwanda and welcome the appointment of Mr. Rene Degni Segui. No member of the United Nations has called for the appointment of special rapporteur on Burundi, where the United Nations is focusing on preventive action.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the obstacles to the implementation of the United Nations Security Council's decision to deploy 5,500 troops in Rwanda; and how it is proposed to clear these obstacles.

Mr. Douglas Hogg: The main obstacles will be to obtain the consent of both parties and to identify member states willing to contribute troops and equipment to the operation.

The secretariat is working on these issues, and the Secretary-General is due to report to the Security Council on progress in the near future.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs when the United Nations Security Council intends to meet again about Rwanda.

Mr. Douglas Hogg: The Security Council has discussed Rwanda in informal sessions several times since the adoption of Security Council resolution 918. The council will meet again in due course to consider the Secretary-General's report called for in SCR 918.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for each of the last five years, the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Goodlad: The table shows the identified costs of consultancy work by the named companies used by the Foreign and Commonwealth Office diplomatic and aid wings in each of the last five financial years.

Information on all other consultancies could be provided only at disproportionate cost.

The amounts spent on the named consultants by the Foreign and Commonwealth Office Aid and Diplomatic Wings are as follows:

For Year	*KPMG* £	*Touche Ross* £	*Price Waterhouse* £	*Ernst & Young* £	*Theodore Goddard* £	*Capita* £	*CSL Group Ltd.* £
1989-90	5,200	164,800	607,800	nil	2,500	—	nil
1990-91	357,800	132,200	679,800	1,110,100	44,800	—	7,800
1991-92	2,073,900	564,600	391,700	1,771,500	59,500	—	nil
1992-93	404,100	8,000	693,600	237,000	35,100	12,000	11,000
1993-94	702,800	402,300	1,331,200	2,417,500	35,000	186,100	91,20[illegible]

No money has been spent in the last five years on consultancies by the following companies:

Prime
Basis
Dibb Lupton Broomhead
Shreeveport

Yemen

Mr. Miller: To ask the Secretary of State for Foreign and Commonwealth Affairs which EC countries plan to offer sanctuary to non-Yemeni nationals resident in the Yemen who are forced to flee due to the civil war but whose travel documents do not confer a right of settlement elsewhere.

Mr. Douglas Hogg: We have not discussed with our European Union partners the subject of sanctuary for those leaving Yemen.

Mr. Miller: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Foreign and Commonwealth Office has to assist impartial non-Yemeni nationals caught up in the civil war in the Yemen to whom the facility of embassy help is not available.

Mr. Douglas Hogg: Nationals from 23 other countries were evacuated with British citizens on flights arranged by the FCO which left Sana'a on 9 and 12 May. The British embassy in Sana'a continues to offer consular advice to British citizens and to unrepresented European Union and Commonwealth nationals who inquire.

Kurdish People

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had, and with whom, concerning the rights of Kurdish people living under the control of the Turkish Government.

Mr. Goodlad: My right hon. Friend the Foreign Secretary discussed human rights and the problems of the Kurdish region of south-east Turkey with the Turkish Prime Minister and Foreign Minister in Ankara in January and in Istanbul last week.

Hong Kong

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the exact time and date on which his Department were made aware of the contents of the statement made by Mr. Mak Foon Than Drax in Hong Kong in August 1983; and if he will make a statement.

Mr. Goodlad: We became aware on 23 August 1983 of certain allegations made by Mr. Mak to the Royal Hong Kong police.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the names of all those who attended a meeting at 10.30 am in the chambers of the Attorney General of Hong Kong on 17 January 1985; and in what capacity each person was present.

Mr. Goodlad: The meeting held on 17 January 1985 took place in the office of the Financial Secretary and was attended by the late Sir John Bremridge, Financial Secretary: Michael Thomas, Attorney General; Mr. Chooi Mun-Sou; and an official from the Attorney General's office.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total time spent on bail awaiting trial by Mr. George Tan in Hong Kong since 1983; and when the Governor estimates that the trial of Mr. Tan might reach a conclusion.

Mr. Goodlad: George Tan was first arrested by the Independent Commission Against Corruption in April 1983. He has been on bail since then, except for a brief period when he was in custody. His trial is expected to reach a conclusion in 1995.

United Nations Specialist Organisations

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department has given to each of the United Nations' specialist organisations in each of the past five years.

Mr. Douglas Hogg: My Department's contributions to the specialised agencies of the United Nations in each of the past five years are set out in the table.

FCO (including ODA) contributions to United Nations specialized agencies (£ sterling)

	1989	*1990*	*1991*	*1992*	*1993*
United Nations Industrial Development Organisation (UNIDO)	2,075,631	2,519,459	2,468,841	2,781,607	3,322,588
Food and Agricultural Organisation (FAO)	8,610,850	9,625,688	10,095,585	10,466,825	12,130,211
World Health Organisation (WHO)	6,438,977	13,278,191	10,965,162	11,648,673	11,233,493
International Fund for Agricultural Development (IFAD)	3,213,140	2,625,344	2,381,364	2,714,364	1,425,000
United Nations Educational, Scientific and Cultural Organisation (UNESCO)	78,121	156,468	99,100	136,159	101,324
International Atomic Energy Authority (IAEA)	458,680	470,363	241,598	375,542	595,466
World Meteorological Organisation (WMO)	0	29,218	206,857	152,369	91,493

Iran

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what specific measures Her Majesty's Government *(a)* have taken and *(b)* plan to take to combat the activities of Iranian terrorists in the United Kingdom.

Mr. Douglas Hogg: We are very concerned about continuing reports of Iranian involvement in terrorism. We watch Iran's actions very closely but do not comment on specific measures taken to combat this problem.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the conclusions of the parliamentary human rights group report on the extra-territorial interference by Iran with Iranian citizens in exile, a copy of which has been sent to him.

Mr. Douglas Hogg: We found the parliamentary human rights group's report on Iran a timely and useful contribution to the debate on Iran's human rights record. We remain seriously concerned at reports alleging Iranian responsibility for the assassination of dissidents in exile.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what investigations he has initiated into the recent allegations that the Iranian Government have given support to the IRA.

Mr. Douglas Hogg: Our investigations have shown conclusively that there have been contacts between Iranian intelligence and the IRA. We shall continue to watch Iran's actions very closely to satisfy ourselves that there are no further exchanges.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Lennox-Boyd: Guidance on the implementation of the code of practice on access to Government information has been issued in both the diplomatic and aid wings. It includes a leaflet and application form available to members of the public on how to apply to the Foreign and Commonwealth Office under the code and guidance circulars to staff explaining the code and how to respond to inquiries received under it. Copies of these documents have been deposited in the Library. The aid wing will be issuing a leaflet for public use later this month. Additionally, the FCO's code of practice inquiry unit refers, as necessary, to the central guidance on interpretation.

Common Agricultural Policy

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what attempts are being made in the European Union to assess the impact of the common agricultural policy upon developing countries and to alleviate any damaging effects.

Mr. Heathcoat-Amory: The common agricultural policy was reformed in May 1992, partly because dumping of surplus produce on world markets under the European Community's agricultural policies was clearly affecting developing countries.

The United Kingdom is pressing for reductions in EC price support and for better targeting of remaining support towards environmental and social objectives without detrimental effect on developing countries.

International Terrorism

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what joint initiatives Her Majesty's Government have proposed at the United Nations to combat international terrorism.

Mr. Douglas Hogg: We and our European partners have expressed our continuing concern in the United Nations General Assembly and the United Nations Commission on Human Rights about the problem of international terrorism. The resolution adopted at the United Nations Commission on Human Rights specifically urged the Government of Iran to refrain from activities against members of the Iranian opposition abroad and to co-operate whole-heartedly with the authorities of other countries in investigating and punishing offences reported by them.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to raise at the next political co-operation meeting of the Foreign Affairs Council the measures required to combat the activities of terrorist groups from outside EU member states operating within the European Community member states.

Mr. Hogg: There are no plans to raise this subject at the next meeting of the Foreign Affairs Council but we do have regular contacts with our European Union partners about how best to tackle the problems of terrorism.

Indonesia

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Indonesian Government over the death of the trades union activist Ms Titi Sugiasti in Bandung, West Java in April.

Mr. Goodlad: I understand that the Indonesian police, who are investigating the case referred to by the hon. Member, have not yet drawn any conclusions from their inquiries. The British embassy in Indonesia will continue to monitor developments.

Anti-personnel Mines

Mr. Keith Hill: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards the United States-sponsored resolution in the United Nations calling for an immediate halt to the export of all anti-personnel mines; and if he will set out his reasons.

Mr. Heathcoat-Amory: The United Kingdom supported this resolution; however, in doing so, we stated our view that anti-personnel land mines directed at military targets are legitimate defensive weapons. If they are used in accordance with protocol II of the United Nations weaponry convention, and particularly if they are fitted with self-destructing or self-neutralising mechanisms, they do not pose the same dangers to civilian populations. We think that it would be wrong if possession of self-destructing or self-neutralising anti-personnel mines were restricted to countries with the capacity to manufacture them; and therefore we do not consider that such mines fall within the scope of this resolution.

China

Mr. Spellar: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government regarding the re-arrest of Wei Jingsheng.

Mr. Goodlad: European Union representatives in Peking last month expressed to the Chinese authorities the concern of all European Union Governments about the arrest of Wei Jingsheng and requested his immediate release.

Malaysia

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each visit made to Malaysia by Mr. N. MacKillop of the Royal Hong Kong police in connection with the Carrian and related cases since 1983; whether the Malaysian authorities were formerly notified of each of these visits; and whether the Malaysian authorities were given access to all the documents obtained in Malaysia by Mr. MacKillop, including those found in a vehicle in Kuala Lumpur.

Mr. Goodlad: There was one visit to Malaysia by two senior officers of the Royal Hong Kong police, one of whom was Mr. N. MacKillop. The visit was official and was arranged through Interpol. At all times the Malaysian authorities were aware of the visit. No documents were seized and the officers concerned have no recollection of any documents being found in a vehicle in Kuala Lumpur.

Law of the Sea

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the United Kingdom timetable for signing the UN convention on the law of the sea.

Mr. Lennox-Boyd: The UN convention on the law of the sea—UNCLOS—is no longer open for signature. We are considering whether to accept the proposed agreement on the implementation of part XI of the convention and thereafter whether to accede to UNCLOS.

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made as to which major maritime nations will not sign the UN convention on the law of the sea.

Mr. Lennox-Boyd: The UN convention on the law of the sea is no longer open for signature. The United Kingdom, United States and Germany did not sign the convention when it was open for signature.

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries which have signed the new law of the sea convention; and if he will list them.

Mr. Lennox-Boyd: Some 155 states and four other entities signed the law of the sea convention when it was open for signature between 1982 and 1984. Some 61 states have now ratified or acceded to the convention. I have placed in the House of Commons Library a list of signatories and one of ratifiers and acceders.

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made as to which developed countries are expected to sign the United Nations convention on the law of the sea.

Mr. Lennox-Boyd: Most developed countries, but not the United Kingdom, United States or Germany, signed the United Nations convention on the law of the sea after it was opened for signature in 1982. No major developed country ratified the convention. Many may now do so following the adoption of the agreement on the implementation of part XI of the convention, which the General Assembly is to consider in July.

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the timetable for the adoption of the United Nations convention on the law of the sea by the General Assembly of the United Nations.

Mr. Lennox-Boyd: The United Nations convention on the law of the sea was adopted by the third United Nations conference on the law of the sea in 1982. The agreement on the implementation of part XI of the convention will be considered by the United Nations General Assembly with a view to its adoption in July 1994. The convention itself comes into force on 16 November 1994.

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the likely timetable for agreement to be reached on part II of the United Nations convention on the law of the sea; and if he will list the countries which have raised objections to it, indicting the nature of the objections.

Mr. Lennox-Boyd: Part II of the United Nations convention on the law of the sea has not been the subject of any negotiation since UNCLOS was concluded in 1982. Many industrialised countries objected to the terms of part XI, concerning deep seabed mining, including the United Kingdom, United States and Germany, which refused to sign the Convention. The United Nations Secretary-General's consultations on part XI, which began in 1990, have recently been concluded. A draft resolution and a draft agreement on the implementation of part XI will be submitted to the United Nations General Assembly on 27 to 29 July. I have placed in the House of Commons Library a copy of the draft resolution and agreement.

Embassies and Consulates

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the annual cost of British embassies and consulates in *(a)* the United States and *(b)* the world.

Mr. Goodlad: The annual cost of British embassies and consulates in 1992-93, the latest financial year for which final expenditure figures are available, was:

(a) the United States £33 million.
(b) the world £365 million.

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement of the role played by British embassies and consulates in protecting the rights of British citizens when travelling abroad.

Mr. Lennox-Boyd: The functions which consular officers may perform are set out in article 5 of the Vienna convention on consular relations and the corresponding provisions of the bilateral consular conventions.

The role of consular officers varies according to the circumstances of individual cases. Each year consular staff overseas deal with over 2 million inquiries from British citizens.

Ms Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements are made to respond to urgent facsimile or other messages concerning immigration cases that are sent by his staff to British embassies during public holidays.

Mr. Lennox-Boyd: All British diplomatic missions overseas designate a duty officer to attend to urgent matters which arise outside normal working hours.

Arms Control Department

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs why his Department's arms control and disarmament department has been disbanded.

Mr. Douglas Hogg: The arms control and disarmament department has been disbanded as part of a wider redistribution of work on defence, security and non-proliferation issues aimed at providing a more coherent and effective response to the international security challenge that we now face, including in the areas of arms control and disarmament. All work formerly done by ACDD has now been reallocated either to the non-proliferation department or to the security policy department of the Foreign and Commonwealth Office.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Foreign and Commonwealth Affairs in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Lennox-Boyd: It is not FCO practice to issue public consultation documents.

Overseas Crime

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department and British consulates overseas take to ensure that British citizens who are victims of crimes committed in overseas countries are guaranteed access to justice under the legal system pertaining in the country where the crime is committed.

Mr. Lennox-Boyd: Where British nationals become victims of crime in other countries, consular officers will ensure that they are advised how to report the crime to the local authorities and, if appropriate, assisted to do so. It is for individuals to pursue redress through the local legal system, based, if necessary, on advice given to them by a local lawyer.

Criminal Justice Procedures

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Government receives representations from foreign Governments relating to citizens of those Governments involved in cases before British courts; and if his Government make representations to foreign Governments relating to British citizens involved in cases before the courts of those Governments.

Mr. Lennox-Boyd: We are not aware of any recent case where a foreign Government have questioned judicial proceedings. Interventions are not made by British officials in cases which are before properly constituted courts in foreign countries.

Chemical Weapons Convention

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that the Government ratify the chemical weapons convention by the time it is scheduled to enter into force.

Mr. Douglas Hogg: We are committed to ratifying the chemical weapons convention and will introduce the necessary implementing legislation as soon as parliamentary time permits.

Cyprus

Mrs. Roche: To ask the Secretary of State for Foreign and Commonwealth Affairs when *(a)* he and *(b)* one of his Ministers next plans to visit Cyprus (i) to discuss a solution to the problems of the island and (ii) for other purposes.

Mr. Goodlad: There are no plans for a visit to Cyprus by an FCO Minister in the immediate future.

Mrs. Roche: To ask the Secretary of State for Foreign and Commonwealth Affairs how he plans to support Cyprus's application to join the European Union.

Mr. Goodlad: The United Kingdom has welcomed Cyprus's membership application. There are clearly difficulties in Cyprus joining the European Union while the intercommunal dispute remains unresolved. The Council will review Cyprus's application early in 1995 in the light of developments in the intercommunal process. Meanwhile, the United Kingdom supports the Commission's talks with Cyprus to familiarise it with the EC's existing legislation.

Mrs. Roche: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Ministers have visited the Republic of Cyprus since 1979 *(a)* to discuss a solution to the political problems there and *(b)* for other purposes; who those Ministers were; and which Cypriot Ministers they met.

Mr. Goodlad: Ministerial visits to Cyprus since 1979 are set out in the table:

(a) Ministerial visits to Cyprus to discuss a solution to the political problems there:

April 1980 – Lord Privy Seal (Rt. Hon. Sir Ian Gilmour) met President Kyprianou and Foreign Minister Rolandis.

October 1983 – (Lady Young), Minister of State, FCO met President Kyprianou, Foreign Minister Iacovou and Defence Minister Veniamin

October 1993 – The Prime Minister and Foreign Secretary met President Clerides and Foreign Minister Michaelides

(b) Ministerial visits to Cyprus for other purposes:

December 1992 – (Mr. Hugh Rossi, MP), Minister of State for Social Security and the Disabled met Mr. Papageorgliou, Minister for Labour and Social Insurance.

September 1983 – (Mrs. Peggy Fenner), Parliamentary Secretary, MAFF, met Mr. Andreou, Minister of Commerce.

September 1983 – (Mr. Richard Luce), Minister of State, Foreign and Commonwealth Office, met Mr. Veniamin, the Acting Foreign Minister.

November 1983 – (Mr. Channon), United Kingdom Minister for Trade, met Mr. Andreou.

July 1984 – (Mr. Peter Brooke), Parliamentary Under-Secretary in the Department of Education and Science, attended Commonwealth Education Ministers Conference.

September 1989 – (Mr. David Mellor), Minister of State, Department of Health, attended Conference of European Ministers responsible for Family Affairs.

October 1990 – (Baroness Hooper), Parliamentary Under-Secretary of State for Health, attended Conference of European Health Ministers.

June 1992 – (Mr. Michael Jack), Minister of State at the Home Office, attended meeting of European Ministers of Justice.

October 1992 – (Dr. Brian Mawhinney), Minister of State for Health attended Commonwealth Health Ministers Conference.

May 1993 – The Lord Chancellor, (Lord Mackay of Clashfern), attended Commonwealth Law Conference.

September 1993 – (Lady Chalker), Minister of State, Foreign and Commonwealth Office, and Minister for Overseas Development, attended Commonwealth Parliamentary Association Conference.

Nuclear Weapons

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when he expects to put in the British submissions to the International Court of Justice on the legality of nuclear weapons;

(2) what representations he has received and what consultations he has held on the British submissions to the International Court of Justice on the legality of nuclear weapons;

(3) whether his submissions to the International Court of Justice on the legality of nuclear weapons will be published or placed in the Library.

Mr. Douglas Hogg: I refer the hon. Member to my answer of 28 February, *Official Report*, column *547*.

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government have participated in the EU discussions within the framework of working groups on a common European foreign policy in respect of the application by the World Health Organisation to the International Court of Justice on nuclear weapons.

Mr. Douglas Hogg: They have.

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his submissions to the International Court of Justice on the legality of nuclear weapons will embrace the question of threat to use as well as possession and use.

Mr. Douglas Hogg: The request is for an opinion on whether the use of nuclear weapons by a state in war or other armed conflict would be lawful, and that question is addressed by our submission.

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government are making to other EU Governments about an EU submission to the International Court of Justice on the legality of nuclear weapons, on concerting individual Government submissions or on a common EU position on the issue.

Mr. Douglas Hogg: I refer the hon. Member to my answer of 28 February, *Official Report*, column *547*. In drafting our submission, we have had consultations with Government Departments, allies, and some European partners.

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will be seeking parliamentary approval for the British Government's submission to the International Court of Justice on the legality of nuclear weapons.

Mr. Douglas Hogg: No. Our submission to the International Court of Justice will be approved by relevant Ministers.

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the admissibility of the World Health Organisation submission to the International Court of Justice on the legality of nuclear weapons.

Mr. Douglas Hogg: As we made clear during the debate at the World Health Assembly in 1993, we do not consider that the question of the legality of nuclear weapons is within the competence of the World Health Organisation. We have great respect for the valuable work that the World Health Organisation has conducted in the health field. The legality of nuclear weapons, however, is an entirely different matter.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of Intergovernmental Authority on Drought and Development talks on Sudan which concluded in Nairobi on 17 May; and what are the prospects for further peace talks.

Mr. Douglas Hogg: On 17 May the Government of Sudan and Sudan People's Liberation Army factions signed an agreement on the opening of specific air destinations and surface corridors to humanitarian relief supplies. The next round of talks is scheduled for mid-July.

LORD CHANCELLOR'S DEPARTMENT

Courts (Wales)

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will set out for each year since 1990 *(a)* the total amount of spending incurred in respect of the administration of the courts in Wales and *(b)* the total number of staff employed by the courts in Wales; and if he will make a statement.

Mr. John M. Taylor: The table sets out the total amount of spending incurred since 1990 in respect of the administration of the magistrates courts in Wales, and the Crown county courts on the Wales and Chester circuit which includes areas in Cheshire. Figures for 1993-94 have not yet been finalised.

Year	*£ million*
1990-91	32·974
1991-92	39·896
1992-93	46·695

The table sets out the total number of permanent staff employed in the magistrates courts in Wales and in the Crown and county courts in the Wales and Chester circuit on 31 December of each year.

Year	*Number*
1990	1,270·0
1991	1,297·5
1992	1,269·5
1993	1,277·5

Solicitors' Firms (Franchises)

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will publish the number of solicitors' firms which have so far applied to the Legal Aid Board for a franchise.

Mr. John M. Taylor: Some 933 firms of solicitors have applied to the Legal Aid Board for a franchise in one or more franchised categories of work. This represents a total of 1,512 offices which have made such an application.

EMPLOYMENT

Government Information

Mr. Llew Smith: To ask the Secretary of State for Employment when he plans to publish his departmental guidance on the implementation of the code of practice on freedom of information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of delay in publication of the guidance.

Mr. Michael Forsyth: Internal guidance notes on the operation of the code of practice in the Employment Department and in the Employment Service have been available for some time; the Health and Safety Executive's internal guidance will be available shortly; the Advisory, Conciliation and Arbitration Service relies on the central guidance on interpretation of the code of practice. Copies of internal guidance notes are being placed in the Library.

Fire Safety

Mr. Llew Smith: To ask the Secretary of State for Employment what evaluation he has made of the Fire Brigades Union report entitled, "Cutting the Lifeline", on the implications for fire safety of the proposals under consideration by his security task force, a copy of which has been sent to him.

Mr. Michael Forsyth: The review team has considered all submissions made to it as part of the inter-departmental review on enforcement of fire safety legislation. My right hon. Friend the Secretary of State awaits the review team's report.

Industrial Tribunals

Mr. Maclennan: To ask the Secretary of State for Employment how many chairs of industrial tribunals are currently employed; and at what total cost per annum.

Miss Widdecombe: Chairmen of industrial tribunals may be either full time—that is, salaried—or part time —paid on a sessional basis. The numbers of chairmen in post at 31 March and the estimated costs for the 12 months up to that date were as follows:

	Full-time chairmen	*Part-time chairmen*
Numbers	84	199
Cost	£4,961,076	£2,122,531

Mr. Maclennan: To ask the Secretary of State for Employment from which organisations the lay members of industrial tribunals are selected.

Miss Widdecombe: In accordance with the legislation governing the industrial tribunals, my right hon. Friend, the Secretary of State appoints the lay members after consultation with a number of bodies representing employers and employees. In the last appointment round the following organisations were consulted:

Employer Bodies:
Association of British Chambers of Commerce
Confederation of British Industry
Convention of Scottish Local Authorities
Department of Health (in respect of NHS Management)
Federation of Small Businesses
Institute of Directors
Local Government Management Board
National Chamber of Trade
British Retail Consortium
Employee Bodies:
Council of Managerial and Professional Staffs
Electrical, Electronic, Telecommunication and Plumbing Union
Federation of Managerial, Professional and General Associations
Royal College of Midwives
Royal College of Nursing
Trades Union Congress
Union of Democratic Mineworkers

Mr. Maclennan: To ask the Secretary of State for Employment what is the average length of time for which industrial tribunal hearing rooms are occupied each day.

Miss Widdecombe: The average length of a sitting day for the industrial tribunals, England and Wales, for the 12 months ended 31 March was 3·83 hours. To this must be added around half an hour preparing for the hearing and discussing the decision. These figures take no account of time spent on related interlocutory work and drafting and checking the tribunal's decision. I regret that figures are not available for the industrial tribunals, Scotland.

Mr. Maclennan: To ask the Secretary of State for Employment what percentage of the chairs of industrial tribunals are *(a)* women and *(b)* from the ethnic minorities.

Miss Widdecombe: The figures are as follows:

Per cent.

	Full-time chairmen	*Part-time chairmen*
Women	14·3	6·8
Ethnic minorities	3·6	1·6

Mr. Maclennan: To ask the Secretary of State for Employment what sums are required from applicants to industrial tribunals by way of a deposit; and in what circumstances any such deposit will not be returned.

Miss Widdecombe: Applicants, or respondents, may be ordered to pay a deposit of up to £150 as a condition of proceeding with their case where at a pre-hearing review the industrial tribunal considers that they have no reasonable prospect of success. The deposit is only forfeited, in full or in part, if parties lose their case at full hearing and have costs awarded against them. In that case the deposit goes towards payment of the costs.

Mr. Maclennan: To ask the Secretary of State for Employment what is the average daily, weekly, monthly or annual fee of a chairperson of an industrial tribunal.

Miss Widdecombe: The figures as at 31 March are as follows:

	£
Regional chairmen (annual salary)	65,912
Full-time chairmen (annual salary)	54,035
Part-time chairmen (daily fee)	246

Labour Statistics

Mr. Pickthall: To ask the Secretary of State for Employment how many adult males were employed in the United Kingdom in *(a)* 1964 and *(b)* 1993.

Miss Widdecombe: In June 1964 there were 16,488,000 males in the work force in employment in the United Kingdom, compared to 13,718,000 in June 1993. Over the same period, female numbers rose from 8,444,000 to 11,520,000.

Mr. Pickthall: To ask the Secretary of State for Employment how many married women were employed in the United Kingdom in *(a)* 1964 and *(b)* 1993.

Miss Widdecombe: The estimate for spring 1993 from the labour force survey for the United Kingdom is that 8·4 million married women were in employment.

There are no equivalent LFS estimates before 1979, but the census of population held in 1966 shows 5 million married women in employment in the United Kingdom.

Mr. Pickthall: To ask the Secretary of State for Employment how many men between the ages of 18 and 45 years were unemployed in 1993.

Miss Widdecombe: In the United Kingdom, in 1993, the average level of claimant unemployment, unadjusted for seasonal effects, stood at 1,700,561 among men aged between 18 and 44—the closest available age group.

Mr. Simon Hughes: To ask the Secretary of State for Employment how many people in the London boroughs of Southwark, Lambeth, Lewisham and Tower Hamlets between the ages of 18 and 25 years are in *(a)* further education, *(b)* Government employment training schemes and *(c)* currently unemployed.

Miss Widdecombe: The available information for individual boroughs, which does not cover participants in Government training schemes, is given in the table:

	Southwark	*Lambeth*	*Lewisham*	*Tower Hamlets*
Claimant unemployed 18-24 year olds (April 1994)	5,395	6,046	4,943	4,277
Further Education students aged 18-25 years domiciled within each borough[1] *(academic year 1992-93)*				
Full-time and Sandwich	1,015	1,456	1,018	1,108
Part-time	1,526	2,282	1,677	1,451
Total	2,541	3,738	2,695	2,559

[1] Students may study in places other than where they are domiciled.

Mr. Simon Hughes: To ask the Secretary of State for Employment how many people in the London borough of Southwark have found employment in the last 12 months; and how many of these jobs were *(a)* full-time and *(b)* part-time or job share.

Mr. Michael Forsyth: Information held centrally relates only to the number of people placed into jobs by the Employment Service jobcentres and numbers of people leaving claimant unemployment.

Between April 1993 and April 1994 jobcentres covering the Southwark area placed 9,591 people into employment. Nineteen out of 20 of all the jobcentre vacancies filled in Southwark during this period were for full-time jobs and the remainder for part-time. It should be noted that, nationally, only about one quarter of all engagements are made through jobcentres. Figures are not available for job-share vacancies.

In the Southwark local authority area the unadjusted number of people leaving claimant unemployment between April 1993 and April 1994 was 24,198. Information is not routinely available on the destinations of claimants who leave unemployment. However, past survey evidence indicates that the majority of people who leave claimant unemployment go into jobs.

Psychometric Testing

Mr. Nigel Jones: To ask the Secretary of State for Employment what use his Department makes of psychometric testing techniques; what plans he has to extend the use of psychometric testing techniques in his Department; and if he will make a statement.

Mr. Michael Forsyth: The Department's main use of psychometric tests is in the individual assessment of the capabilities of people with disabilities by placing, assessment and counselling teams. Where tests are used, performance then forms part of the basis for counselling and action planning to support people's efforts to find employment. Internally, the Department uses psychometric tests to a limited extent in its management development programmes.

Providers with whom the Department contracts to deliver services to unemployed people may choose to use psychometric tests. Guidance is made available through a regularly updated, "Review of Psychometric Tests for Assessment in Vocational Training"; this authorative publication was initiated by the Department and is now maintained by the British Psychological Society.

The Department has no plans to extend the use of psychometric tests as such, but will do so where they offer a cost-effective addition to the basis for decisions.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Employment in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Michael Forsyth: Where comments are sought in consultation exercises, it is already the Department's usual practice to make clear that they are sought on the understanding that they can be made publicly available unless respondents have requested that their remarks be treated as confidential.

North Yorkshire TEC

Mr. Robert Banks: To ask the Secretary of State for Employment what was the administration cost of the North Yorkshire training and enterprise council for 1993-94.

Miss Widdecombe: During the 1993-94 financial year, the North Yorkshire training and enterprise council received a management fee from the Employment Department of £1,460,995. The administrative costs of the TEC will be shown in its audited accounts which will be published shortly.

Training

Mr. Cox: To ask the Secretary of State for Employment what was the total expenditure on *(a)* employment training and *(b)* youth training in 1993 within the Greater London area; and how many (i) men and (ii) women were on such schemes.

Miss Widdecombe: Table 1 shows the total expenditure on training for work, which replaced employment training in 1993 and youth training in 1993 within the Greater London area. Information on the number of men and women on YT and TFW is not available in the format requested. Table 2, however, shows how many men and women started on these schemes throughout 1993.

Table 1
Total expenditure 1993-94 contract year
(Provisional)

	£
Youth Training	47,960,837
Youth Credits	9,958,616
Total Youth Training and Youth Credits	57,919,453
Training for Work	60,036,946

Notes:

1. The 1993-94 Contract Year is 1 April 1993 to 31 March 1994.
2. The expenditure figure is provisional and may be revised. Training and Enterprise Councils have 4 accounting periods (an accounting period is 4 weeks) in which to bring to account expenditure relating to their 1993-94 contract.
3. From 29 March 1993 Training for Work replaced Employment Training, Employment Action and High Technology National Training. Training for Work offers people who are long term unemployed the opportunity to improve and update skills or learn new ones, or to do temporary work of benefit to the community.

Table 2
Trainee starts during the 1993-94 contract year

	Male	*Female*
Youth Training	9,640	6,912
Youth Credits	3,781	2,778
Total Youth Training and Youth Credits	13,421	9,690
Training for Work	27,057	18,916

Note: Youth Credits is a system which gives school leavers an entitlement usually in the form of a voucher or 'smart-card' with a specific monetary value, to purchase vocational training from employers or training providers.

Ms Short: To ask the Secretary of State for Employment, (1) pursuant to his answer of 21 March, *Official Report,* column *50,* about the destinations of youth trainees by training and enterprise council area, if he will update the table to cover the period July 1992 to June 1993;

(2) pursuant to his answer of 21 March, *Official Report,* column *50,* about qualifications obtained by employment training and training for work leavers, if he will update the table to cover the period July 1992 to June 1993;

(3) pursuant to his answer of 21 March, *Official Report,* column *50,* about the destination of employment training and training for work trainees, if he will update the table to cover the period July 1992 to June 1993;

(4) pursuant to his answer of 21 March, *Official Report,* column *50,* about the destination of youth trainees, if he will update the tables to cover the period July 1992 to June 1993;

(5) pursuant to his answer of 21 March, *Official Report,* column *50,* about the destinations of employment training and training for work leavers in each training and enterprise council area, if he will update the table to cover the period July 1992 to June 1993;

(6) pursuant to his answer of 21 March, *Official Report,* column *50,* about the qualifications obtained by employment training and training for work leavers in each training and enterprise council area, if he will update the table to cover the period July 1992 to June 1993.

Miss Widdecombe: As the information is contained in a number of tables, I will write to the hon. Member and place a copy of my reply in the Library.

Modern Apprenticeship Scheme

Mr. Simpson: To ask the Secretary of State for Employment what wage rates trainees on the modern apprenticeship scheme will receive; and how long an apprenticeship will last.

Miss Widdecombe: Wage rates will be a matter between the employer and the young person, reflecting the employer's investment in the training and the expectation of the young person of improved wage rates later on. Modern apprenticeships are not time bound; there will be flexible arrangements for the time individuals need to become qualified, which could by three years or longer.

Mr. Austin Mitchell: To ask the Secretary of State for Employment what industries and types of work are to be covered by the modern apprenticeship scheme as set out in the "Competitiveness: Helping Business to Win" White Paper; and what has been the change in the number of jobs in these areas since 1979.

Miss Widdecombe: The modern apprenticeships initiative will make a major contribution to Britain's skill supply by providing young people with high quality training in technical, craft, supervisory and junior management occupations across a wide range of sectors. The intention is that from September 1995 the modern apprenticeship initiative will cover all sectors, but prototypes will run in the following sectors from September 1994: agriculture, business administration, chemicals, child-care, electrical installation, engineering manufacturing, engineering construction, information technology, marine engineering, Merchant Navy, polymers, retail, steel and travel service.

Information about changes in the number of jobs in these areas is not available in the form and for the period requested. The basis on which occupational information is collected was changed in 1989.

The table provides estimates of the numbers of people working in these occupations for spring 1993 and spring 1991, the earliest date for which comparable data are available:

Employees of working age in Great Britain

Occupation	*1991*	*1993*	*Change+−* *(Thousands)*	*Change* *Percentage*
Managers and Administrators	2,708,736	2,980,610	+272	+10·0
Associate professional and technical occupations	1,875,301	1,882,160	+7	+0·4
Craft and related occupations	2,758,326	2,278,945	−479	−17·4

Source: Labour Force Survey.

Should the hon. Member require information about the earlier period between 1979 and 1989, I will send it to him and place a copy in the Library.

Mr. Austin Mitchell: To ask the Secretary of State for Employment what assessment he has made of the effect of *(a)* low pay and *(b)* job insecurity on skills levels in the areas covered by the modern apprenticeship scheme.

Miss Widdecombe: Lack of skills often leads to low-paid insecure jobs. By gaining high-quality, relevant skills, young people can improve their employment and earnings prospects. Modern apprenticeships and accelerated modern apprenticeships will help 70,000 young people a year to attain such skills.

Unrealistic pay levels for young people would result in reduced employment and poorer opportunities.

Health and Safety

Mr. Barron: To ask the Secretary of State for Employment, pursuant to his oral statement of 24 May, *Official Report*, column *197*, what is his estimate of the cost of implementing the recommendations contained in the Health and Safety Commission's "Review of Regulations" report.

Mr. Michael Forsyth: The Health and Safety Commission's "Review of Regulations" is intended to increase the efficiency and effectiveness of the regulatory regime. Most of what needs to be done lies within the commission's existing remit, and builds on the approach that it has taken over the past 20 years. The commission has advised me that it will begin to implement its proposals and recommendations on the basis of its existing public expenditure provision; but the matter will be kept under review.

Civil Rights (Disabled Persons) Bill

Mr. Alan Howarth: To ask the Secretary of State for Employment what percentage of the total recurrent costs of employment in the private and public sectors are the estimates of £75 million and £20·4 million costs to private and public sector employers, respectively, given in the compliance cost assessment in respect of the Civil Rights (Disabled Persons) Bill.

Mr. Michael Forsyth: Information on the total costs of employment in the public and private sectors is not available.

Structural Unemployment

Mr. Simon Hughes: To ask the Secretary of State for Employment what he considers to be the current level of structural unemployment in London; and what assessment he has made of the trend of changes in this level.

Mr. Michael Forsyth: There is no generally recognised and commonly used definition of structural unemployment.

European Social Fund

Mr. Worthington: To ask the Secretary of State for Employment what progress has been made in negotiations with the European Union for the utilisation of Britain's allocation of money under the European social fund objective 3.

Mr. Michael Forsyth: The European Commission opened formal negotiations on the United Kingdom objective 3 plan on 27 April. Subsequently, there have been two further negotiating meetings. The United Kingdom has consistently pressed for speedy progress and will continue to do so.

Mr. Worthington: To ask the Secretary of State for Employment for what purposes he is using objective 3 money from the European social fund.

Mr. Michael Forsyth: The Great Britain plan for European social fund objective 3 in 1994-99 outlines the purposes for which the Government propose to use the money. A copy of this document is in the Library. The plan has not yet been agreed by the European Commission.

Mr. Worthington: To ask the Secretary of State for Employment, pursuant to his answer of 3 May, *Official Report*, column *428*, for what reasons he decided not to use any of Britain's allocation of European social fund money for objective 4.

Mr. Michael Forsyth: I refer the hon. Member to my reply of 25 January, *Official Report*, column *223*.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Employment how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Michael Forsyth: The information requested is not readily available and could be obtained only at disproportionate cost.

Private Investigation Services

Mr. Donohoe: To ask the Secretary of State for Employment, pursuant to his answer of 11 May, *Official Report*, column *166*, how much his Department has spent on private investigation services during the last two years; if he will list those companies which have been employed by his Department during this period; what safeguards his Department took to ensure that these agencies were members of the Association of British Investigators; and what guidelines are currently in operation within his Department as regards this matter.

Mr. Michael Forsyth: In the last two years, the Employment Service has twice instructed solicitors to use private investigation services as detailed in the previous answer of 11 May 1994, *Official Report*, column *166*. In the first case, the cost to the ES from the private solicitor was £75. In the second case, the ES has not yet been billed by the Treasury Solicitor; the cost is estimated to be £100.

In both cases the solicitors who engaged the investigation agencies were responsible for ensuring that they were reputable.

LORD PRESIDENT OF THE COUNCIL

Public Consultation

Mr. Kirkwood: To ask the Lord President of the Council in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Newton: The Privy Council Office does not normally issue public consultation documents. Any future exercise would be conducted in accordance with the code of practice on government information and any other relevant guidance.

HOUSE OF COMMONS

Child Care

Mrs. Roche: To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, how many representations the Commission has received regarding the need for a creche in the parliamentary estate.

Mr. Beith: In this Parliament the Member answering for the Commission and the Chairman of the Administration Committee have replied to 24 oral or written questions regarding the provision of child care. A further six questions to the Commission stand on the Order Paper for oral reply. In addition, 47 Members have so far added their names to early-day motion 862.

Legislation (Wales)

Mr. Llwyd: To ask the Lord President of the Council if he will list each Bill presented to Parliament since 1964 which has proposed setting up an elected body for Wales, indicating the year of presentation, the proposer and the final stage at which it arrived.

Mr. Newton: The Scotland and Wales Bill introduced in 1974 was subsequently lost in the House of Commons in 1976.

The "Wales Bill" introduced in 1977, received Royal Assent on 31 July 1978 and was later repealed in 1979 following a referendum.

Information on private Bills and private Members' Bills can be obtained only at disproportionate cost.

TRADE AND INDUSTRY

Office of Gas Supply

Mr. Robert Ainsworth: To ask the President of the Board of Trade which Minister made the appointment of the Director General of Gas Supply; and if he will make a statement on the process involved in the appointment.

Mr. Heseltine: The appointment was made by me in accordance with section 1 of the Gas Act 1986. External executive search consultants were employed, and the post was advertised in the national press.

Mr. Robert Ainsworth: To ask the President of the Board of Trade if he will place a copy of the job specification for the Director General of Gas Supply in the Library.

Mr. Heseltine: I am arranging for a copy of the job specification given to the executive search consultants to be placed in the Library of the House.

Mr. Robert Ainsworth: To ask the President of the Board of Trade on what date the interviews for the appointment of the Director General of Gas Supply were made.

Mr. Heseltine: The ministerial interviews for the shortlisted candidates for the appointment of Director General of Gas Supply took place on 20 and 22 July and on 1 September 1993.

Mr. Robert Ainsworth: To ask the President of the Board of Trade which company was used in the recruitment of the Director General of Gas Supply.

Mr. Heseltine: Saxton Bampfylde was appointed as the executive search consultants in connection with the appointment.

Oil and Gas

Mr. Alton: To ask the President of the Board of Trade how many of the blocks on the United Kingdom continental shelf that have been licensed to oil companies, and have been identified as containing oil and gas reserves, have remained undeveloped for more than eight years since the blocks were first licensed; what are the combined estimated reserves of those blocks; and how many blocks lie off the coast of the north-west of England.

Mr. Eggar: Up until the end of 1985, there are a total of 106 significant discoveries in 87 blocks without development approval.

Of these 106 significant discoveries, 15—in 13 blocks—are presently under discussion for development.

The remaining 91 significant discoveries—in 77 blocks—contain estimated total gas reserves of 5,777 billion cubic feet, and oil and condensate reserves of 1,767 million barrels.

One discovery block of these 91 discoveries is in the north-west area of England.

Mr. Alton: To ask the President of the Board of Trade what plans the Government have to encourage oil companies to bring forward their development plans to maintain the level of United Kingdom engineering expertise.

Mr. Eggar: I have frequent discussions with the oil industry to see whether there are any fiscal measures that can be introduced which will encourage development.

In addition to this, my officials review with the companies on a regular basis their programmes for future developments. Where they identify discoveries with no foreseeable development, the companies are encouraged to offer them, by sale or swap, to other companies.

Mr. Alton: To ask the President of the Board of Trade under what circumstances blocks that have been licensed to oil companies can be confiscated on the grounds that they have not been developed; and what is the maximum period a block can be left unexplored or undeveloped before the Government will take action.

Mr. Eggar: Under the current regulations that govern licences in seaward areas, licensees are required to submit a development plan within a period of 18 years if the licence period is to be extended. If there is any breach or non-observance by the licensees of any terms and conditions of the licence, including exploration and drilling commitments, the Secretary of State may revoke the licence.

Mr. Ainger: To ask the President of the Board of Trade if he will list those blocks which he considers should never be licensed for oil exploration because of their environmental sensitivity.

Mr. Heseltine *[holding answer 26 May 1994]:* I attach great importance to environmental considerations in the exploration for our oil and gas reserves, and will continue to do so. Knowledge of environmental sensitivities is developing over time, as are the methods of addressing them and the techniques used in exploration. I will, of course, continue to discuss the offer of blocks with environmental organisations—including the Joint Nature Conservation Committee—and will take their views into account when deciding which blocks can be licensed.

Mr. Llwyd: To ask the President of the Board of Trade if he will give details of the allocation of blocks to companies for oil and gas in the Irish sea; and what environmental restrictions have been put on these companies.

Mr. Eggar: The following operating companies hold licences to explore for oil and gas in the Irish Sea and develop any finds:

Amoco
113/29, 113/30

Arco
107/21

British Gas Exploration and Production
110/2A, 110/2B, 110/3A, 110/8A, 110/9A, 110/15, 111/3, 111/4, 111/8, 110/10, 111/15, 113/26A, 113/27A

Chevron
103/3, 106/28, 106/29, 110/18

Clyde
113/28

Conoco
110/5, 110/11A

Deminex
109/15

Elf Enterprise Caledonia
108/29, 108/30, 111/25, 111/29, 111/30

Esso
112/10, 112/14, 112/15, 113/11

Hamilton
103/2, 103/7, 107/1, 107/6, 110/6, 110/7C, 110/13, 110/15

Kelt
110/7B

Marathon
102/10, 103/1, 103/6, 106/18, 106/19, 106/23, 106/27, 110/17

Oryx
110/3B, 110/3C, 110/9B

Premier
110/10

Ranger
110/4

Where necessary, appropriate conditions have been attached to licences to protect any environmental sensitivities which have been identified. A copy of each of the environmental protection conditions which were attached to licences awarded in the 14th round of licensing has been placed in the Library of the House.

Engineers

Mr. Alton: To ask the President of the Board of Trade what plans the Government have developed to promote the involvement of professionally qualified engineers in the design, construction, operation and management of engineering projects and processes.

Mr. Sainsbury: The Government made it clear in the White Paper on competitiveness—Cm. 2563—that adopting best practice and improving management skills in engineering is important and that United Kingdom firms should utilise and reward engineering skills at all levels. It is, however, ultimately up to employers to decide how they best involve engineers in their businesses.

Objective 1 Projects

Mr. Alton: To ask the President of the Board of Trade when he intends to issue details of the rules and regulations governing the role of the private sector in objective 1 projects; when he expects that discussions with the European Commission concerning additionality will be resolved; what progress is being made in expediting the Merseyside objective 1 programme; and if he will make a statement.

Mr. Sainsbury: Negotiations with the European Commission on the Merseyside objective 1 single programming document are nearing their conclusion.

There is already guidance on the role of the private sector in structural funds projects. This is currently under review by United Kingdom Government Departments and the European Commission.

AEA Technology

Mr. Cousins: To ask the President of the Board of Trade, pursuant to his answer of 27 April, *Official Report*, column *166*, how many staff from the Warren Springs Laboratory transferred to AEA Technology on 1 April; and what were the redundancy costs of those staff that did not transfer.

Mr. Heseltine: Eighty-five Warren Spring Laboratory staff were transferred to AEA Technology. Some staff who did not transfer have taken posts elsewhere in the civil service. There have been no compulsory redundancies. It will take some time before the full costs of staff severance are known but they are expected to be less than £5 million.

Consultants

Mrs. Dunwoody: To ask the President of the Board of Trade if he will list for each of the last five years, the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Heseltine: My Department is unable to provide the information requested other than at disproportionate cost.

Jordan

Mr. Cousins: To ask the President of the Board of Trade if he will publish a table showing the total value of United Kingdom exports to Jordan, and also the value of each of the broad category titles of the standard international trade classification for *(a)* 1971 to 1980 and *(b)* 1981 to 1990.

Mr. Heseltine: The information is provided in the following table:

Value of United Kingdom Exports to Jordan
(£ million, Current Prices)

Section Description	*1971-80*	*1981-90*
0 Food and live animals	23·9	67·8
1 Beverages and tobacco	7·1	22·3
2 Crude materials, inedible, except fuels	2·0	6·4
3 Mineral fuels, lubricants, and related materials	3·7	12·7
4 Animal and vegetable oils, fats and waxes	0·7	1·8
5 Chemicals and related products, not elsewhere specified	46·2	145·3
6 Manufactured goods classified chiefly by material	88·0	204·4
7 Machinery and transport equipment	207·6	621·9
8 Miscellaneous manufactured articles	49·5	167·4
9 Commodities and transactions not classified elsewhere	18·5	581·5
TOTAL	447·1	1,831·3

Source: Overseas trade statistics of the United Kingdom.

Mr. Cousins: To ask the President of the Board of Trade whether Exports Credit Guarantee Department support was offered to the Kingdom of Jordan or any contractors supplying the Kingdom in connection with, or as a result of, the memorandum of undertaking signed on 28 November 1979.

Mr. Heseltine: Yes.

Export Licences

Mr. Cousins: To ask the President of the Board of Trade whether exported material requiring an export licence, and later returned to the United Kingdom for repair or modification, requires a fresh export licence; and if he will place in the Library copies of the guidance that exists on this point.

Mr. Heseltine: Goods subject to United Kingdom export control at the time they are re-exported in the circumstances described require the authorisation of an export licence. Many such exports are authorised under open general export licences. Copies of the relevant licences have been placed in the Library of the House.

Where goods were initially exported under the authority of an individual licence, they may normally be re-exported under the terms of the original licence.

Private Members' Bills

Ms Lynne: To ask the President of the Board of Trade on what occasions since April 1992 Ministers from his Department have *(a)* requested parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Heseltine: Parliamentary counsel drafts not on behalf of private Members but on the instructions of Departments acting on the authority of Ministers.

On no occasions since April 1992 have amendments been drafted by parliamentary counsel on instructions from DTI and subsequently passed to private Members.

Post Office

Mr. Llwyd: To ask the President of the Board of Trade if he will make it his policy that postal deliveries to very rural areas will be safeguarded if the proposed privatisation of the Post Office is implemented.

Mr. McLoughlin: Yes. We have repeatedly made clear that the universal service to every address in the country, at a uniform tariff, is non-negotiable.

Mr. Llwyd: To ask the President of the Board of Trade if he will make it his policy to safeguard two daily mail deliveries if the Post Office is privatised.

Mr. McLoughlin: The number of deliveries a day is currently an operational issue for the Post Office. There are significant parts of the country where there is only one daily delivery. Regulatory arrangements in the event of a change in the status of the Royal Mail will be covered in the forthcoming Green Paper.

Pensions and Life Insurance

Mr. David Marshall: To ask the President of the Board of Trade what representations he has received from companies operating in the pension and life industry advocating direct Government regulation; and if he will make a statement.

Mr. Neil Hamilton: Under the Insurance Companies Act 1982, the Secretary of State has direct responsibility for the regulation of all United Kingdom authorised insurance companies. The industry seeks no change from the present arrangements.

Military Exhibitions

Mr. Llew Smith: To ask the President of the Board of Trade what United Kingdom firms have been supported by his Department to attend any military, security or police exhibition *(a)* within the United Kingdom or *(b)* overseas since 1979; and if he will detail the nature of the support and the number of companies which attended each event.

Mr. Heseltine: The Department of Trade and Industry does not provide support for United Kingdom firms to attend exhibitions within the United Kingdom.

The Department does provide support for United Kingdom firms to attend overseas exhibitions in the form of a subvention towards the cost of participation. Relevant information for the period before 1 April 1988 can be obtained only at disproportionate cost. For the period after that date, support for firms attending military, security or police exhibitions has been provided as follows:

Financial year	*Number of events*	*Number of firms*
1988-89	4	70
1989-90	4	114
1990-91	7	131
1991-92	10	151
1992-93	12	266
1993-94	9	95

Government Information

Mr. Llew Smith: To ask the President of the Board of Trade when he plans to publish his departmental guidance on the implementation of the code of practice on freedom of information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publication of the guidance.

Mr. Eggar: My Department has not produced its own guidance on interpretation of the open government code of practice. We rely on the central guidance which has already been placed in the Library of the House.

Guidance on procedures for operating the code within my Department has, however, been available for some time. I am sending the hon. Member a copy and also placing copies in the Library of the House.

Electrified Fencing

Mr. Llew Smith: To ask the President of the Board of Trade (1) how many export licences have been granted for past and on-going exports of electrified fencing and barrier products designed to deliver electric shocks to people;

(2) what licensing requirements apply to the export of electrified fencing and barrier products designed to deliver electric shocks to people.

Mr. Heseltine: Electrified fencing and barriers are not in themselves licensable under the Export of Goods (Control) Order 1994. Portable anti-riot devices for administering an electric shock or an incapacitating substance, and riot control vehicles electrified to repel boarders are controlled under the legislation. Details of the number of export licences approved for these controlled items could not be obtained without disproportionate cost.

Energy Council

Mr. Llew Smith: To ask the President of the Board of Trade if he will make a statement on matters discussed and decisions taken, including details of any matters on which votes were taken, at the Energy Council in Brussels on 25 May.

Mr. McLoughlin: The Council considered several issues and received reports from the Commission on matters of interest. I represented the United Kingdom.

The Council reached unanimous political agreement on guidelines for energy trans-European networks. It was agreed that a formal common position, including a decision on a list of projects of common interest, should, if possible, be taken at the next Energy Council. This would allow enough time for the projects to be considered individually and for the opinion of the European Parliament to be taken into account.

The Commission reported to the Council on progress on the European energy charter treaty. It was agreed that the Community should work for the treaty to be concluded later this month.

There was a discussion of the electricity liberalisation directive, and general endorsement of the need for further work on five key areas. These are: access to networks, public service obligations, a system for providing new capacity, unbundling of accounts and the role of the system operator.

There was a general discussion of the need for a Community energy policy. A Commission proposal for a Green Paper was welcomed. The importance of consulting widely within industry was supported by several member states. The Commission presented its proposal for Thermie II, which is concerned with support for near-market energy technology projects, their demonstration and dissemination of the results.

The Council adopted, unanimously, conclusions on two Commission communications. One was on energy and cohesion and the other on nuclear safety in eastern Europe and the former Soviet Union. The hydrocarbon licensing directive, which had been agreed at the 10 December 1993 Energy Council, was adopted unanimously without discussion.

Apart from the "A" points which were agreed without discussion, no formal votes were taken by the Council.

System X

Mr. Llew Smith: To ask the President of the Board of Trade how many system X telecommunication systems have been exported since 1989; and to which countries.

Mr. McLoughlin: Exports of system X telecommunications systems have been made to the following countries: the United States of America, Russia, China, Colombia, Gibraltar, Kenya, India, Kuwait, the Falklands and the Philippines. Information on the number of systems exported is not publically available and is a matter for the companies concerned.

Competitiveness

Mr. Llew Smith: To ask the President of the Board of Trade what assessment he made of the implications for environmental protection when he drew up the proposal contained in his report on competitiveness, Cm 2563.

Mr. McLoughlin: The United Kingdom sustainable development strategy—Cm 2426—published in January 1994, outlined the Government's proposals for ensuring that future economic development and environmental protection are fully compatible. The proposals in Cm 2563 are fully consistent with the principles set out in the strategy, and in particular take account of the Government's determination to seek the least burdensome and prescriptive means for achieving its environmental objectives.

Mr. David Nicholson: To ask the President of the Board of Trade what changes he plans in the loan guarantee scheme or similar assistance to small firms in the context of the publication of the competitiveness White Paper.

Mr. McLoughlin: The small firms loan guarantee scheme was changed significantly twice during 1993. There are no current plans to further amend to the scheme.

Mr. Grocott: To ask the President of the Board of Trade how many copies of "Competitiveness: Helping Business to Win" have been printed; and what was the total cost of production and distribution.

Mr. Sainsbury: The White Paper on competitiveness was published by HMSO. A total of 10,500 copies were produced. The production costs are a matter for HMSO, and in accordance with normal practice were reflected in the price of the White Paper. In addition, the DTI met preliminary design, writing and typesetting costs of approximately £30,000.

The table sets out provisional costs, excluding staff time, incurred by a range of Departments in purchasing the White Paper for external distribution, and in producing summary versions and extracts. It also sets out the costs of external distribution of the White Paper, the summary versions and extracts.

£ thousand

	Department of Trade and Industry	*Employment Department*	*Scottish Office*	*Northern Ireland Departments*	*Welsh Office*
Cost of copies for external distribution					
Purchases of White Paper from HMSO	12	5	1	1	1
Production of 5,000 copies of an offprint of Education and Training chapter	—	2	—	—	—
Production of 130,000 copies of the summary version	32	—	—	—	—
Production of 3,500 copies of the bilingual summary version	—	—	—	—	8
Distribution costs	70	2	[1]—	[1]—	1

[1] Item less than £500.

Table: Estimated costs of external distribution of competitiveness White Paper and related documents.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the President of the Board of Trade how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Eggar: The Department requires staff to report job offers. However, there is no central record kept of such offers. Such information could be obtained, therefore, only at disproportionate cost.

Any firm job offer an individual wishes to take up is subject to the business appointment rules procedure.

Loan Guarantee Scheme

Mr. David Nicholson: To ask the President of the Board of Trade what representations he has received about obstacles to the greater take-up of loans under the loan guarantee scheme.

Mr. McLoughlin: A number of representations and complaints are received about the unavailability of loans under the small firms loan guarantee scheme. The majority of these concern businesses whose proposals have been rejected by lenders on commercial grounds. With both public and lenders' funds at risk, scheme applications must be assessed carefully by lenders for their commercial viability.

Mr. David Nicholson: To ask the President of the Board of Trade if he will make a statement on the take-up of loans under the loan guarantee scheme over the past three years.

Mr. McLoughlin: The number of loans guaranteed under the small firms loan guarantee scheme in each of the past three financial years was 1991-92, 2,933; 1992-93, 2,342; and 1993-94, 3,[illegible]. Take-up of the scheme increased considerably following the enhancements introduced on 1 July 1993 and current average monthly take-up is now higher than at any time since 1984.

Coal Industry

Mr. O'Neill: To ask the President of the Board of Trade if he will list those organisations which have submitted applications to pre-qualify for the purchase of British Coal mining activities in respect of each regional coal company and for each care and maintenance colliery.

Mr. Eggar: No. The identities of the parties which have submitted pre-qualification applications are commercially confidential.

Mr. O'Neill: To ask the President of the Board of Trade how many management and employee buy-out teams have applied for financial assistance during the sale of British Coal to prepare bids for purchase of *(a)* all five regional coal companies, *(b)* each regional coal company, *(c)* each care and maintenance colliery and *(d)* each British Coal non-mining business.

Mr. Eggar: A number of MEBO teams have applied to the Department for financial assistance when preparing bids for *(a)* to *(c)* above and several offers have been made. However, details of these applications are commercially confidential. British Coal operates a similar scheme for MEBOs bidding for their non-mining businesses on which general offers will be invited and details of these applications are also commercially confidential.

Mr. Tipping: To ask the President of the Board of Trade if he will list each company which has pre-registered an interest in buying any of the five regional packages of British Coal.

Mr. Eggar: No. The identities of the parties who have submitted pre-qualification applications are commercially confidential.

Mr. Tipping: To ask the President of the Board of Trade how many individual companies have pre-registered an interest in buying *(a)* one, *(b)* two, *(c)* three, *(d)* four or *(e)* five regional packages of British Coal.

Mr. Eggar: The detail of pre-qualification applications is commercially confidential.

Mr. Tipping: To ask the President of the Board of Trade if he will list each company which has registered an interest to buy *(a)* one, *(b)* two, *(c)* three, *(d)* four or *(e)* five regional packages of British Coal.

Mr. Eggar: No. The identities of the parties which have submitted pre-qualification applications are commercially confidential.

Mr. Tipping: To ask the President of the Board of Trade how many companies have pre-registered an interest in buying any of the five regional packages of British Coal.

Mr. Eggar: We have received 34 applications to pre-qualify for the sale of the five regional coal companies and the care and maintenance collieries.

Public Houses

Mr. David Porter: To ask the President of the Board of Trade what plans he has to encourage the prosperity of British public houses; and if he will make a statement.

Mr. Neil Hamilton: The Government have taken a wide range of measures to improve the commercial framework in which all firms, including public houses, operate. A number of these were described in the White Paper "Competitiveness: Helping Business to Win"—Cm 2563.

Mr. David Porter: To ask the President of the Board of Trade what investigations his Department is undertaking into the issues raised by publicans in the lobby of Parliament on 11 May about upward-only rent clauses, the public house tie, and the enforcement of the beer orders; and if he will make a statement.

Mr. Neil Hamilton: I am fully aware of the principal issues raised by licensees at the recent lobby and shall be meeting a number of publicans soon to discuss these further.

The beer supply tie is a contractual arrangement which has existed for many years, and I have no plans at present to take any action in this area. The United Kingdom will of course participate fully in any review of EC regulation 1984-83, the beer block exemption, when this is carried out.

Enforcement of the beer orders is the responsibility of the Director General of Fair Trading, and his staff continue to monitor compliance. Any complaints received are carefully examined for evidence of any breaches of the orders.

As a landlord and tenant matter, upward-only rent reviews are the responsibility of my right hon. Friend the Secretary of State for the Environment.

Deregulation

Ms Ruddock: To ask the President of the Board of Trade if he will make a statement on his Department's deregulation initiative.

Mr. Neil Hamilton: A booklet "Deregulation—Cutting Red Tape"—copies of which are available in the Library of the House—was published in January setting out the aims and achievements of the deregulation initiative to date. Since then further developments have included:

The completion of the departmental reviews of their regulations. My right hon. Friend the President of the Board of Trade has recently submitted a report to the Prime Minister on the results of this.

There are now 873 regulations earmarked for amendment or repeal, and 359 of the task forces' 605 recommendations have now been accepted and work is being taken forward by the new task force under the chairmanship of Francis Maude.

The Deregulation and Contracting Out Bill has now completed its passage through the Commons and is currently before another place.

The review of fire safety regulations has now submitted its report to the Government. We are considering its recommendations and how to proceed regarding publication.

We continue to work with the European Commission and other member states to ensure that deregulation is at the heart of European policy making and that all new EC proposals are fully justified in terms of their costs and benefits.

Exports, Cyprus

Mr. Cousins: To ask the President of the Board of Trade if he will publish a table showing for Cyprus the exports for each year since 1980 from the United Kingdom classified under section 9 of the standard international trade classifications.

Mr. Heseltine: The information is provided in the table:

Value of United Kingdom exports to Cyprus for [illegible]ion 9 of the SITC commodities and transactions not classifie[illegible]ewhere

(£ mil[illegible]urrent prices)

Year	*Val[illegible]*
1980	3·3
1981	4·9
1982	4·2
1983	5·2
1984	6·7
1985	3·8
1986	4·0
1987	3·3
1988	2·9
1989	2·6
1990	2·8
1991	2·2
1992	2·3
1993	2·2

Source: Overseas trade statistics of the United Kingdom

Chemical Weapons Convention

Mr. Donohoe: To ask the President of the Board of Trade if he will ensure that the Government ratify the chemical weapons convention by the time it is scheduled to enter into force.

Mr. Heseltine: The Government are committed to ratifying the chemical weapons convention and will introduce the necessary implementing legislation as soon as parliamentary time permits.

Insolvency Service

Mr. Campbell-Savours: To ask the President of the Board of Trade, pursuant to his answer of 23 May, *Official Report*, column 75, to which organisations outside Government a full copy of the Stoy Hayward report on insolvency was sent.

Mr. Heseltine: No organisations outside Government have been sent a full copy of the Stoy Hayward report.

Public Utilities

Mr. Hanson: To ask the President of the Board of Trade (1) how many disabled people were connected to *(a)* gas, *(b)* electricity and *(c)* telephone in 1993-94;

(2) how many women over 60 years and men over 65 years were connected to *(a)* gas, *(b)* electricity and *(c)* telephone in 1993-94.

Mr. Eggar: These are matters for the boards of British Gas, British Telecom and the regional electricity companies.

Fire Safety

Mr. Hardy: To ask the President of the Board of Trade (1) when he expects to receive the report of the scrutiny team concerned with fire safety;

(2) if he will publish the report of the fire safety scrutiny team;

(3) what undertakings Ministers have given that no changes will be made in fire safety arrangements based upon the conclusions of the scrutiny team unless there was full consultation with the fire authorities; and if he will inform those authorities of the conclusions.

Mr. Neil Hamilton: The fire safety review team have completed its work and its report has been submitted to the Government. Ministers are now considering the report and the question of its publication. No decisions have been taken but the Government have made it consistently clear that they are committed to full consultation with interested parties before any changes in the existing arrangements are made.

Public Consultation

Mr. Kirkwood: To ask the President of the Board of Trade in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Heseltine: The code of practice on government information commits the Department to publishing relevant facts and analysis underlying major policy proposals. This would include details of any public consultation exercise. Comments on public consultation documents are sought on the basis that the Department would not want to publish individual responses against the wishes of those providing them.

Thermal Oxide Reprocessing Plant

Mr. Simon Hughes: To ask the President of the Board of Trade on how many occasions reprocessing at THORP has been *(a)* interrupted and *(b)* interfered with since it started shearing spent nuclear fuel earlier this year.

Mr. Eggar: This is a management matter for British Nuclear Fuels plc.

Mr. Llew Smith: To ask the President of the Board of Trade what evaluation he has made of the implications for the projected profitability of THORP of the report by the Japanese Government's Advisory Committee for Energy calling for a significant slow-down in the industrial re-use of plutonium returned from the reprocessing plants at Sellafield.

Mr. Eggar: This is a commercial matter for British Nuclear Fuels plc.

Privatisation

Mr. Milburn: To ask the President of the Board of Trade, pursuant to his answer of 5 May, *Official Report*, column 604, if he will provide such information as is available on the cost of employing consultants in connection with privatisation programmes.

Mr. Heseltine *[holding answer 13 May 1994]:* The Comptroller and Auditor General frequently reports on privatisations under section 9 of the National Audit Act 1993 and in doing so generally includes information on the costs of advisers—which may include consultants, legal, financial and other advisers. Since 1993, the following figures have appeared in such reports relating to privatisations undertaken by the DTI and the former Department of Energy:

Reference and subject		*Costs of advisers £ million*
1993-94		
HC59	The Sale of the British Technology Group	[1]2·80
1992-93		
HC10	The Sale of the Twelve Regional Electricity Companies	[2]28·8
HC46	The Sale of National Power and PowerGen	[2]17·2
1989-90		
HC210	Sale of Government Shareholding in British Steel plc	[1]5·6
1987-88		
HC22	Sale of Government Shareholding in British Gas plc	[3]5·0
1987-88		
HC243	Sale of Government Shareholding in Rolls–Royce plc	[3]2·2

Reference and subject		*Costs of advisers £ million*
1984-85		
HC495	Sale of Government Shareholding in British Telecommunications plc	[3]6·0

[1] Advisers' fees.

[2] United Kingdom advisers' fees.

[3] Fees to advisers in respect of the United Kingdom offer.

Manufacturing Investment

Mr. Worthington: To ask the President of the Board of Trade what has been the volume of investment in manufacturing industry in real and constant price terms in each year since 1979.

Mr. Nelson: I have been asked to reply.

Estimates of manufacturing investment at current and constant prices may be obtained from the Control Statistical Office database accessible through the House of Commons Library.

Cetaceans (Disturbance)

Mr Ainger: To ask the President of the Board of Trade (1) when he expects guidelines on acoustic disturbance of cetaceans during seismic exploration activity to come into force;

(2) when he will publish draft guidelines on acoustic disturbance of cetaceans during seismic exploration activity;

(3) which non-governmental organisations he intends to consult on draft guidelines on acoustic disturbance of cetaceans during seismic exploration activity; and when he intends to consult them.

Mr. Atkins *[holding answer 26 May 1994]:* I have been asked to reply.

The non-governmental groups to be consulted on draft guidelines include Wildlife and Countryside Link—cetacean group—which represents 10 voluntary groups; the Wildlife and Countryside Link groups for Scotland and Wales; the Whale and Dolphin Conservation Society; Greenpeace; World Wide Fund for Nature and the Friends of Cardigan Bay. I hope to issue a draft shortly and will then need to take account of any comments before publishing the guidelines in final form. They will become fully operational at that point.

DUCHY OF LANCASTER

Citizens Charter

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster how many charters have been reissued imposing higher standards and targets; and if he will give details of the higher standards and targets in each case.

Mr. David Davis: The following charters have been revised and give details of improved standards of service.

The *Benefits Agency Customer Charter* now gives standards for the clearance times of all benefits rather than just the main benefits; a standard of 10 minutes for waiting to be seen by a receptionist or no more than 30 minutes when very busy; and a standard of 10 working days for responding to correspondence.

The *Contributions Agency employers charter* now gives standards for customer satisfaction of 80 per cent., up from 75 per cent; a standard of 10 minutes for waiting to see a receptionist or no more than 30 minutes when very busy; a standard of 10 working days for responding to correspondence; a standard to respond to a request for a visit within one week and to carry out the visit within two weeks; and a standard that office appointments will be arranged within two weeks of being requested.

The *London Underground Ltd. customer charter* now gives higher operational standards for trains in customer service—from 97·5 per cent. to 98 per cent.; for escalators in customer service—from 87 per cent. to 89 per cent.; and for lifts in customer service—from 85 per cent. to 92 per cent. It also gives higher customer satisfaction standards for providing information on trains—from 78 per cent. to 86 per cent.; for providing information on stations—from 76 per cent. to 81 per cent.; for staff helpfulness and availability—from 83 per cent. to 86 per cent.; for train cleanliness—from 76 per cent. to 81 per cent.; and for station cleanliness—from 85 per cent. to 89 per cent.

Other charters due to be revised this year include the parents charter, the job seekers charter, the contributors charter, and the patients charter for Wales. In addition, the courts charter is due to be revised in early 1995.

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster how much compensation was paid *(a)* under previous compensation arrangements during each of the five financial years before the adoption of the citizens charter provisions and *(b)* under the provisions of the citizens charter (i) in total and (ii) by relevant Department and agency.

Mr. David Davis: Details of the amount of compensation paid under the provisions of the citizens charter and under previous compensation arrangements before its adoption are not held centrally. However, at 21 January 1994, it was estimated that £9,383,000 had been paid out in compensation under the provisions of the citizens charter. This does not, however, include compensation paid by privatised utilities or local authorities for failure to meet service standards, as details are not held centrally. This figure is broken down in the table shown.

In addition, in the financial year 1992-93, the Inland Revenue paid £389,000 in compensation for "serious error" as defined in the code of practice "Mistakes by the Inland Revenue"; and HM Customs and Excise paid £532,000 in repayment supplements between January 1992 and 31 December 1993.

Department	*Compensation paid (nearest £000)*	*From*	*To*
British Rail	4,427	April 1992	30 November 1993
London Underground	184	August 1992	7 January 1994
Northern Ireland Railways	2	November 1992	19 January 1994
HM Customs and Excise	14	January 1992	31 December 1993
Benefits Agency	4,071	April 1992	March 1993
Contributions Agency[1]	76	April 1991	March 1993

Department	*Compensation paid (nearest £000)*	*From*	*To*
Employment Service	89	April 1992	March 1993
Department of Health and Social Services, Northern Ireland[1]	520	April 1991	20 January 1994

[1] These figures represent payments made from April 1991, four months before the Contributions Agency and Northern Ireland Social Security Agency charters were introduced.

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster (1) which public services have reduced the response time for dealing with complaints under the citizens charter; and if he will give details of the reduction in each case;

(2) how many complaints mechanisms for public service users contained in the citizens charter programme involve a lay element within that mechanism; and if he will give details;

(3) what form of redress or compensation is available to citizens when a public body stipulating a specific response time for complaints fails to respond within the time required;

(4) how many of the public services under the provisions of the citizens charter stipulate a response time for dealing with complaints; and what those response times are in each case;

(5) how many of the complaints mechanisms for public service users contained in the citizens charter programme now have an independent element; and if he will list them.

Mr. David Davis: Each public service organisation is responsible for the delivery of citizens charter standards to its own particular customers, and for ensuring an appropriate response if the standard is not met.

Details of the procedures and mechanisms in place within each individual organisation are not held centrally. However, the Government recognise the importance of all public services, including Government Departments, having effective complaints procedures. In June 1993, Ministers set up the citizens charter complaints task force, with a specific remit to look at how public services deal with complaints and to ensure that their procedures operate in line with citizens charter principles. The complaints task force is chaired by Lady Wilcox, chairman of the National Consumer Council, and its members draw upon considerable expertise from both the public and private sectors.

The task force published in October 1993 a booklet "Effective Complaints Systems: Principles and Checklist", copies of which have been placed in the Library of the House. This sets out good practice in complaints handling, and it has been widely disseminated to public services. It states that people should be told when they can expect a response; be kept informed of progress; and given an explanation if deadlines are not met. It also states that complaints procedures should include independent review within the organisation where appropriate—review by someone within the organisation but separate from the direct line management of the person or section complained about; the Inland Revenue complaints adjudicator is an example of this.

The task force's programme of reviews of complaints systems in individual public services is now well under way. The task force also plans to issue over the next few months a series of discussion documents on various aspects of complaints handling, including speed of response and independence of investigation. The findings from its reviews, and feedback from the discussion papers, will form the basis of its final report to Ministers in spring 1995.

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster if he will give details of the initiatives to date under the citizens charter programme to develop user consultation, representation and participation in public services.

Mr. David Davis: The citizens charter encourages all public service organisations to develop user consultation, representation and participation in the services they provide to their customers.

The citizens charter unit does not hold records of the initiatives undertaken by individual public service organisations. However, a number of initiatives have been taken centrally. In August 1993, the unit published the results of its own customer survey which showed that seven out of 10 people were aware of the citizens charter and that there was strong support for the aims of the charter. In addition, Lady Wilcox, chairman of the citizens charter complaints task force, has invited people to write to her with their experiences of how their complaints have been handled, to provide the task force with first hand information from users of public services. The task force has also recently commissioned research into what service users think of public service complaints systems.

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster which Departments and agencies had extra-statutory compensation arrangements before the adoption of citizens charter provisions.

Dr. David Davis: Details of the statutory compensation arrangements in place before the adoption of the citizens charter provisions are not held centrally and could be obtained only at disproportionate cost.

Government Information

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing his departmental guidance.

Mr. Waldegrave: In addition to the general guidance on implementation of the code of practice, which was produced by the Office of Public Service and Science for use throughout Government, specific guidance was prepared for use within my departments—OPSS, the Central Office of Information and Her Majesty's Stationery Office. Staff in the Prime Minister's Office have received the same material. Both documents have been publicly available since early April, and copies have been placed in the Library of the House.

Chartermarks

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster which organisations previously awarded chartermarks have had a chartermark taken away from them for failure to uphold standards and deliver a service in accordance with charter principles.

Mr. David Davis: No organisations have had their chartermarks taken away, although the citizens charter unit reserves the right to take away a chartermark from an organisation whose performance subsequently falls significantly below standard.

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster whether the operation of a clear and effective complaints procedure with an independent element is one of the criteria taken into consideration in awarding a chartermark.

Mr. David Davis: Yes.

Post Office

Mr. Hain: To ask the Chancellor of the Duchy of Lancaster what guidance he has given to civil servants on the application of rules governing political activity to campaigning against privatisation of the Post Office.

Mr. Waldegrave: The principles and rules on civil servants' political activities are set out in chapter 4.4 of the personnel management section of the civil service management code. A copy is in the Library. No specific central guidance has been issued on privatisation of the Post Office.

DNA Bank

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster what evaluation he has made of the suitability of the Westlakes Research Institute at Whitehaven as host for the first European DNA bank.

Mr. Waldegrave: The Westlakes Research Institute is proposing to undertake a study in conjunction with Newcastle university on the links between genetic make-up and disease. The question of a European DNA databank does not arise.

Necrotising Fasciitis

Mr. Blunkett: To ask the Chancellor of the Duchy of Lancaster what research has been done by the Medical Research Council to find a vaccine for necrotising fasciitis; what were the dates on which each project *(a)* began and *(b)* ended; and what were the considerations which led to the ending of each project.

Mr. Waldegrave: Although no work has been funded specifically for the development of a vaccine for necrotising fasciitis, basic research has been, and continues to be, funded by the Medical Research Council which could underpin the development of a vaccine.

The MRC microbial pathogenicity research group—which was part of the council's clinical research centre, Harrow and has since moved to Nottingham—carried out a study into necrotising fasciitis as part of its programme of research. This study was carried out between 1982 and 1987. The results were published in scientific journals in 1987 and 1988.

The council continues to support major programmes in bacterial infection including those being carried out at a new Centre for Bacterial Infection and Immunity in Nottingham. This centre, which will cost £2·6 million over the next five years, was opened on 11 May 1994. The MRC is always willing to consider for support soundly based scientific proposals in competition with other applications.

Public Consultation

Mr. Kirkwood: To ask the Chancellor of the Duchy of Lancaster in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Waldegrave: It is usual practice for consultation documents issued by the Office of Public Service and Science to state that responses received may be made publicly available unless respondents request that their remarks be treated as confidential.

Maritime Markets

Mr. Barry Field: To ask the Chancellor of the Duchy of Lancaster if he will list those advisers and areas where the technology foresight programme is looking at maritime markets.

Mr. Waldegrave: Maritime markets will be included in several areas of the technology foresight programme including, for example, agriculture, natural resources and environment; energy; food and drink; and transport. A wide range of individuals and organisations will be consulted during the foresight programme.

AGRICULTURE, FISHERIES AND FOOD

Private Members' Bills

Ms Lynne: To ask the Minister of Agriculture, Fisheries and Food on what occasions since April 1992 Ministers from her Department have *(a)* requested parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Jack: Parliamentary counsel drafts not on behalf of private Members but on the instructions of Departments acting on the authority of Ministers. In any event, no amendments have been drafted by parliamentary counsel on instructions from this Department and subsequently passed to private Members in respect of any private Members' Bills since April 1992.

Sheep Farmers

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if she will provide additional quotas to newly established sheep farmers who had small quotas in their first year.

Mr. Jack: Newly established sheep farmers, depending on their circumstances, are able to claim quota under the following arrangements if they:

Claimed premium for the first time in 1992, they will already have been allocated quota under special arrangements;

Claimed premium for the first time in 1993, they were able to apply to the 1993 reserve, and we are currently considering their applications;

Are newcomers to farming or first-time claimants in 1994 or subsequent years, they may apply to the 1994 or subsequent year's national reserve.

Sheep Slaughtering, Spain

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 20 April, *Official Report*, column *558*, what reply she has received from the Spanish Agriculture Minister; and if she will make a statement.

Mr. Soames: We have been assured that the slaughterhouses concerned have been inspected and that the Spanish authorities are ensuring that they comply with Royal Decree 1614/87, regarding the stunning of animals prior to their slaughter.

Drinking Water

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what consideration the Government have given to the representations made by farmers and landowners concerning the European Commission's nitrate directive regarding the limit of nitrate per litre of drinking water; and if she will make a statement.

Mr. Soames: The main concern of farmers and landowners is that any nitrate limit should be based on the best and most up-to-date scientific and medical advice available. We share that concern and have urged the Commission to take it fully into account in its current review of the drinking water directive (80/778/EEC). Separately we published a consultation paper on 18 May inviting farmers, landowners and others to comment on our proposals to designate vulnerable zones under the nitrate directive (91/676/EEC).

Animal Exports

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food how many live animals exported for slaughter from the United Kingdom are then returned to Britain for sale.

Mr. Soames: This information is not available.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food (1) if she will set out the legislation applicable to the further fattening of animals, the procedures followed and the point at which live animals exported are reclassified as being the responsibility of another country;

(2) how the Government interpret the term "further fattening" of live animals for food.

Mr. Soames: The welfare of all livestock kept on agricultural land, whether for fattening or for other farming purposes, is protected by the Agriculture (Miscellaneous Provisions) Act 1968 and by regulations and codes of practice made under that Act. The prevention of cruelty to animals, including farm livestock, is also covered by the Protection of Animals Acts 1911 to 1988.

Provisions of the Animal Health Act 1981 and orders made under it protect the welfare of animals during transport and at markets. This legislation does not distinguish between animals for further fattening and other categories, although the term "further fattening" is normally understood to refer to animals which are intended for food production but are not for immediate slaughter.

The Animal Health Act, either directly or by orders made under it, also requires the notification of certain animal diseases and contains measures to control or prevent the spread of disease.

It is the responsibility of each member state to enforce Community and national legislation within its territory and to co-operate with other member states in the exchange of information which will assist enforcement of Community law.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food (1) what plans she has to introduce restrictions of journey times for animals for slaughter;

(2) what plans she has to reduce the number of hours of the transportation of live animals.

Mr. Soames: The Welfare of Animals during Transport Order 1992 places a limit of 15 hours on the transport of farm livestock without the provision of food or water. The introduction of new controls on animal transport will depend on the outcome of European Community negotiations.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what plans she has to seek to amend the treaty of Rome to recognise the status of animals as sentient beings.

Mr. Soames: Amendments to the treaty are a matter for intergovernmental conferences of the EU member states. Following the last such IGC, a declaration was agreed at Maastricht on the need for the Community to take full account of the welfare of farm animals when drawing up legislation. This followed a United Kingdom initiative and is a very positive step forward.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what plans she has to introduce special licensing of vehicles and drivers engaged in the transportation of animals.

Mr. Soames: Transporters of livestock must comply with welfare provisions made under the Animal Health Act 1981. The Welfare of Animals during Transport Order 1992 requres any person having control of an animal transport undertaking to ensure that animals are entrusted only to persons possessing the knowledge necessary to administer appropriate care to the animals in transport. The need for any further measures will be kept under review in the light of European Community developments.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what are the responsibilities of her Ministry concerning the quotas for the export or import and slaughter of farm animals.

Mr. Soames: In the sheep, beef and pig sectors there are no quotas for the export from the United Kingdom of live animals either for slaughter or for breeding. Quotas for imports of live sheep, cattle and pigs—and sheepmeat, beef and pigmeat—from third countries to the European Union are set for the EU as a whole and are administered in each member state by designated agencies. There are no specific import quotas for the United Kingdom.

For the slaughter of farm animals in the United Kingdom there are no quotas, but there is a restriction on the weekly throughput of small abattoirs, for hygiene purposes. Ministers negotiated into the EC directive governing the production of red meat less onerous structural requirements for low-throughput abattoirs which can achieve the necessary hygiene standards by handling one animal at a time. At the December 1992 Agriculture Council, my right hon. Friend the previous Secretary of State secured an increase in the throughput limit for such abattoirs from 12 livestock units to 20 livestock units per week, until 31 December 1994. The increase was welcomed as giving considerable flexibility to smaller businesses. The Commission is due to review the effect of the directive on small businesses and Ministers will press for the increased low-throughput limits to be made permanent.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what assessment her Department has made of the export of meat carcases as a viable and achievable alternative to the transport of live animals abroad for slaughter.

Mr. Soames: United Kingdom exports of meat, the value of which is considerably greater than that of exports of live animals for food, provide an important contribution to the British economy. The movement of animals is a matter for commercial judgment subject to animal welfare and health safeguards.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what plans she has to give greater powers to animal welfare and health inspectors concerned with the transport or slaughter of animals.

Mr. Soames: The appropriate inspectors already have wide powers under the Animal Health Act 1981, the Slaughterhouses Act 1974 and the Slaughter of Poultry Act 1967.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food (1) if she will list by category the number of live animals exported from the United Kingdom in each year since 1979;

(2) if he will list by category the numbers of live animals imported into Britain in each of the past 15 years.

Mr. Soames: Trade data are only available for the United Kingdom as a whole. Annual data for years prior to 1993 on the numbers and types of animals imported into the United Kingdom can be found within the Central Statistical Office publication "MA 20—Overseas Trade Statistics of the United Kingdom" and its predecessor publications. Data for 1993 are still provisional and subject to change but can be obtained by amalgamating the year to date data from two further Central Statistical Office publications, namely the "MM20—Overseas Trade Statistics of the United Kingdom with countries outside the EC" for December 1993 and the "MQ20—Overseas Trade Statistics of the United Kingdom with countries within the EC" for the fourth quarter of 1993.

Copies of all these publications can be found in the House of Commons Library.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food (1) how many animals were exported from the United Kingdom for veal and foie gras production in the latest available year;

(2) for what purposes animals have been exported from the United Kingdom in the latest available year.

Mr. Soames: Exports of live animals from the United Kingdom are generally for one of three purposes: (i) for breeding, (ii) for further production, or (iii) for immediate slaughter.

Trade data on exports for production of veal and foie gras are not available; however, no live geese were exported last year.

Animals exported from, or imported to, the United Kingdom are recorded under the internationally used United Nations standard industrial trade classification system. This does not comprehensively classify the purposes for which animals are exported. Details of the system can be found in the Central Statistical Office publication "MA 21—Guide to the Classification of Overseas Trade Statistics", and in particular division 00 thereof, a copy of which can be found in the House of Commons Library.

Animal Welfare

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food how many local registered veterinary inspectors in the United Kingdom there were in every year since 1979.

Mr. Soames: The recorded number of local veterinary inspectors in Great Britain in each of the years 1987-93 is as follows:

Year	*Number of LVIs*
1987	4,870
1988	5,120
1989	5,165

Year	*Number of LVIs*
1990	5,370
1991	5,479
1992	5,852
1993	5,841

Figures prior to 1987 are not readily available.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what is the current Government position on the export of live animals; and what legislative changes have occurred since 1979.

Mr. Soames: The Government continue to press for high standards of animal health and welfare to be applied throughout the European Community to the transport of animals, including exports.

Legislative changes since 1979 are listed as follows:

(a) EC Directive 91/628/EEC on the protection of animals during transport (OJ No. L340, 11 12 1991, p. 17) (revoked and replaced two earlier directives).

(b) The following national (GB) legislation came into force which also implements the above directive:—
  - The Transit of Animals (Road and Rail) (Amendment) Order 1979, S.I. 1979/1013
  - The Export of Animals (Protection) Order 1981, S.I. 1981/1051
  - The Transit of Animals (Amendment) Order 1988, S.I. 1988/815
  - The Welfare of Poultry (Transport) Order 1988, S.I. 1988/851
  - The Welfare of Poultry (Transport) (Amendment) Order 1989, S.I. 1989/52
  - The Welfare of Animals during Transport Order 1992, S.I. 1992/3304

(c) In addition, a number of EC directives laying down detailed animal health rules governing intra-community trade in live animals have been implemented in Great Britain by means of the Animals and Animal Products (Import and Export) Regulations 1993 (S.I. 1993/3247).

Cereals

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food how much a farmer growing cereals will be paid in arable aid for each hectare of cereals grown in 1993-94 in England, inclusive of less-favoured areas; and if she will make a statement.

Mr. Jack: The payment rate for cereals in England under the arable area payments scheme for 1993-94 will be 207.55 ecu per hectare. This will be converted to sterling at the green rate prevailing on 1 July 1994. At the current green rate, this would amount to £191 per hectare.

Payments will be reduced if the base area is exceeded.

Government Information

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food when she plans to publish her departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Jack: Copies of the Department's explanatory note on the implementation of the code of practice have been made available on request to the Ministry's helpline and a copy of the note has been placed in the Library of the House. Details were announced in a news release on 5 April. We are now working on making available, under the terms of the code at paragraph 3(ii), explanatory material on our dealings with the public subject to the provisions of confidentiality under part II of the code. The code envisages that this material is made available, as soon as practicable. There is a very substantial amount of material, covering all facets of the Ministry's schemes and procedures. We hope to make good progress by the end of the year.

Slaughtering

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what plans she has to introduce specific labelling of meat slaughtered under legal exemption by pre-stunning slaughter methods.

Mr. Soames: I have no such plans.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food how many horses are slaughtered for export in EC-approved abattoirs in the United Kingdom.

Mr. Soames: The four slaughterhouses in the United Kingdom licensed to slaughter horses for export last year handled around 4,000 equines for human consumption. Data are not kept on the destination of the meat, but so far as my Department is aware the vast majority of the meat produced was exported.

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what steps she has taken to ensure that the piece rate payments scheme operated widely in the United Kingdom slaughterhouses does not cause cruelty as a result of its emphasis on speed.

Mr. Soames: It is the responsibility of all engaged in the slaughtering of animals to ensure that the requirements of welfare legislation are observed. This applies irrespective of the method of payment to the abattoir work force.

Animal Sales

Mr. Meale: To ask the Minister of Agriculture, Fisheries and Food what plans she has to restrict the numbers of times animals, except for calves, can be presented for sale in any month.

Mr. Soames: The restrictions on the sale of calves, under the Welfare of Animals at Markets Order 1990, were introduced in response to specific concerns about the hawking of very young calves from market to market. The order was amended last year to give added protection for young lambs and goats in markets. This legislation will be kept under review, but it is not evident that further controls, equivalent to the restrictions on marketing of calves, are needed for other categories of farm animal.

Scrapie

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food to which animal species scrapie and similar diseases have been transmitted.

Mr. Soames: I shall write to the hon. Member since the position is complicated and depends not only on the species of animal but the genetic make-up of the individual animal and the strain of scrapie involved in the trial.

BSE

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what percentage of *(a)* United Kingdom dairy herds, *(b)* United Kingdom beef suckler herds and *(c)* total United Kingdom herds with adult breeding cattle have experienced at least one case of BSE, since November 1986.

Mrs. Gillian Shephard *[holding answer 26 May 1994]:* Since November 1986 approximately 58 per cent. of dairy herds, 13 per cent. of beef suckler herds and 27 per cent. of total herds in the United Kingdom have experienced at least one confirmed case of BSE. Records are not available which separate the total number of herds with adult breeding cattle.

Fisheries Council

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Fisheries Council held in Luxembourg on 10 June; and if she will make a statement.

Mr. Jack: I represented the United Kingdom at a meeting of the Council of Fisheries Ministers on 10 June in Luxembourg, together with my hon. Friend the Under-Secretary of State for Scotland and my noble Friend the Under-Secretary of State for Northern Ireland.

The Council unanimously adopted a framework regulation enabling it to decide, on a case-by-case basis, when licences for fishing should be supplemented by a special permit to fish in certain waters, so as to enable the nature and extent of the fishing effort deployed to be tightly prescribed, monitored and enforced. I recognised the need for this new management tool, notably following the completion of negotiations on the integration of Spain and Portugal and then Norway into the CFP. However, I told the Council that I shared the concerns of the United Kingdom fishing industry about the practical implications of this additional layer of administration. Moreover, I pointed out that the burdensome weight of fisheries regulation was an issue that went wider than the permit scheme. A number of other member states expressed similar preoccupations.

In response, the Commission made a formal statement that its proposals for any specific application of permits will take account of the practical and economic implications for fishermen. While it must be effective in securing the controls required, any scheme imposing permits must involve the minimum administrative burden and efficient arrangements for the initial issue and subsequent modification of permits. The management of any permit scheme will be a matter for the member states.

The Council concluded that permits should not be required for fishing vessels under 10 m in length operating exclusively within their territorial waters and the Council deferred a decision on whether the permit system should apply to EU vessels operating in third country waters. I welcomed the outcome of this negotiation, which demonstrated the willingness of the Council and the Commission to take proper account of the realities of the fishing industry.

In a wider recognition of the burdens of regulation on the fishing industry, the Commission responded positively to my suggestion that it examine systematically how the current body of regulation can be simplified. It made it clear that it would welcome proposals from the fishing industry—an offer which I hope our own fishermen will take up.

In the absence of a European parliamentary opinion, no decisions were taken on the Commission's proposal on drift nets and the Council held only a general discussion. Officials will continue to examine the proposals, and particularly the scope for enhanced enforcement of the north-east Atlantic tuna industry. The Council will revert to the issue when the European Parliament's opinion is available. Meanwhile, EU fishing vessels are prohibited from using drift nets longer than 2·5 km in any fishery.

The Council unanimously adopted a mandate for the Commission to open negotiations with Greenland, under the EU/Greenland agreement, on the fishing opportunities and other arrangements to apply for the five-year period beginning 1 January 1995. The United Kingdom benefits from opportunities to fish at Greenland.

The Council discussed Canadian legislation enabling Canada to act against flag of convenience and unflagged vessels in the area administered by the North West Atlantic Fisheries Organisation. The Council agreed that the EU should inform Canada of its concern about the extent of the powers taken and urge Canada to co-ordinate her enforcement activities with NAFO partners, including the EU. I agreed that such an approach should be made but was unhappy about the terms in which it was expressed and as a consequence abstained on the matter in order to allow a community view to go forward.

The Council had a limited discussion on the state of the market for fisheries' products. I pressed the Commission to provide the complete analysis of this complex problem which had been previously promised. This was agreed, and the Commission was asked to undertake the work and report back to the September Fisheries Council, if appropriate with proposals.

The Council unanimously approved a proposal, which will be adopted as soon as the European Parliament's opinion is available, on the methodology for measuring the tonnage of fishing vessels, which is important for managing a number of aspects of the CFP. To take account of the difficulties the EU fishing industry faces, it was agreed that an estimating formula could be adopted for vessels below 15 m and that, for medium-sized vessels —15 to 24 m—an extended deadline of 1 January 2004 would be allowed for completion of the measuring exercise. This outcome will be very helpful to the United Kingdom.

The Council unanimously adopted a regulation covering the EU's Mediterranean waters which introduces technical conservation rules, notably about the use of various kinds of fishing nets and other gear.

A Commission proposal establishing compensation for the additional costs incurred in the marketing of certain fisheries products from the Azores, Madeira, the Canary Islands and the French Department of Guiana as a result of their very remote location was adopted by qualified majority vote. The Netherlands and the United Kingdom were unable to support the measure because the funding procedures adopted were not satisfactory.

Agriculture Council

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 30 and 31 May; and if she will make a statement.

Mrs. Gillian Shephard: This meeting of the Council, at which I represented the United Kingdom, held only a brief discussion of the Commission's price proposals for farm support prices for 1994-95 and related measures and concluded that adoption of this package should be an urgent priority for its next meeting on 20 June.

At the instigation of the German Minister, the Council discussed bovine spongiform encephalopathy. The Commissioner, Mr. Steichen, reaffirmed the need for policy to be based on science, stressing that there were no grounds for questioning the current trade rules for meat and live animals. I explained the comprehensive measures adopted by the United Kingdom to bring BSE under control and safeguard against any risk to public health. I and several other Ministers endorsed the Commission's plan to maintain surveillance, to tighten the rules on rendering processes and the use of specified bovine offals in cosmetics and to extend to the whole of the Community the ban on feeding meat and bone meal to ruminants which the United Kingdom adopted in 1988.

The Council unanimously agreed to extend until 30 June 1994 the marketing year for various fruits and vegetables.

Sheep Premium Grants

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food what is *(a)* the estimated number of farmers in England entitled to receive sheep premium grants and *(b)* the number of claims, together with the corresponding percentage figure expressed as a proportion of *(a)*, which were settled by (i) 30 April 1994, (ii) 15 May 1994 and (iii) 31 May 1994.

Mr. Jack: Some 64,000 sheep producers in England received automatic allocations of quota, or received quota under the special arrangements for 1992, first time claimants. These producers were eligible for payments under the 1993 sheep annual premium scheme, provided they met the other requirements of the scheme. Some farmers combine to submit only one claim and the total number of 1993 claims was 42,713. As at 30 April 1994, 88 per cent. of first and second advances under the 1993 scheme had been paid and 65 per cent. had also received the final payment. At 15 May, the corresponding figures were 89 per cent. and 72 per cent. respectively and at 31 May 89 per cent. and 86 per cent. respectively.

Over-grazing

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what was the total cost for England in *(a)* 1991, *(b)* 1992 and *(c)* 1993 and what is her estimate for 1994 of (i) the sheep annual premium, (ii) the suckler cow premium and (iii) the beef special premium; what estimates her Department has made of the environmental damage caused in England through over-grazing by livestock for which each of those premia are being paid; what estimates her Department has made of environmental damage other than over-grazing being caused in England on farm land grazed by livestock for which the above premia are being paid; and if she will make a statement.

Mrs. Gillian Shephard: Expenditure in England on the three schemes is shown in the table. I have no figures for the value of any environmental damage attributable to these schemes.

£ million (Scheme year)

	1991	*1992*	*1993*	*1994 (estimate)*
Beef Special Premium			63·9	75·4
including extensification premium	21·1	25·8	82·6	92·4
Suckler Cow Premium			43·5	64·3
including extensification premium	33·9	38·8	55·9	77·8
Sheep Annual Premium (including Less Favoured Area Supplement)	120·0	175·1	182·4	208·6

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what steps she intends to take to prevent environmental damage other than over-grazing on grazed land, with particular reference to lowland areas.

Mrs. Gillian Shephard: Our policies will continue to employ a range of instruments to help prevent environment damage. These include codes of good agricultural practice for the protection of soil, water and air; the provision of free advice to farmers on conservation and avoiding pollution; a number of targeted incentive schemes—for example, environmentally sensitive areas scheme—and safeguards within the arable support scheme.

The reformed arable support arrangements also include measures to prevent environmental damage. They render permanent grassland ineligible for arable support payments. And all farmers receiving arable support payments must observe a range of conditions on set-aside land, including protection of environmental features, requirements on maintenance of a green cover to minimise nitrate leaching and restrictions on the use of fertilisers and pesticides.

NORTHERN IRELAND

Health Service Staff

Ms Primarolo: To ask the Secretary of State for Northern Ireland what was the number of health visitors, district nurses, school nurses and community psychiatric nurses expressed as whole-time equivalents at September 1988, September 1989, September 1990, September 1991 and September 1992.

Mr. Ancram: Information on health visitors, district nurses and school nurses is available only on a comparative basis for the three years 1990 to 1992 and is set out in the table, expressed as whole-time equivalents at September of each year.

	1990	*1991*	*1992*
Health visitors	324·41	395·37	454·53
District nurses	619·06	639·12	719·30
School nurses	70·22	71·50	85·45

Information on community psychiatric nurses is available only for 1992 and is set out in the table, expressed as whole-time equivalents at September.

	1992
Community psychiatric nurses	183·00

Ms Primarolo: To ask the Secretary of State for Northern Ireland what are the planned numbers of health visitors, district nurses, school nurses and community psychiatric nurses, health visitors, students and district nurse students for 1995, 1996, 1997, 1998 and 1999.

Mr. Ancram: Information on the planned numbers, expressed as whole-time equivalents, is as follows:

	1995	*1996*	*1997*	*1998*	*1999*
Health visitors	540·61	538·61	537·61	[1]—	[1]—
District nurses	842·95	842·95	842·95	[1]—	[1]—
School nurses	110·43	110·43	110·43	[1]—	[1]—
Community psychiatric nurses	371·01	384·51	384·51	[1]—	[1]—
Planned secondments by Health and Personal Social Services employing authorities in each year are as follows:					
Health visitors students	6·00	8·00	6·00	6·00	[1]—
District nurse students	20·00	18·00	17·00	17·00	[1]—

[1] Information is not available centrally.

Planning

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will require the Department of the Environment planning service to ensure that all land in housing development sites will be allocated to house property and that developers will no longer be permitted to abandon and leave derelict any area of land within a housing development.

Mr. Tim Smith: The Department of the Environment (NI) considers that, where circumstances permit, the provision of open space in new housing development is desirable. However, the Department recognises that the on-going maintenance of such open space can cause difficulties and normal practice is now only to make its provision a requirement of planning permission where future maintenance arrangements can be put in place.

Health Workers

Ms Primarolo: To ask the Secretary of State for Northern Ireland what was the number of health visitor students and district nurse students in training expessed as whole-time equivalents at March 1988, March 1989, March 1990, March 1991, March 1992 and March 1993.

Mr. Ancram: The number of students who commenced training, expressed as whole-time equivalents, in each year is as follows:

Year	*Health visitors*	*District nurses*
1988	35	28
1989	23	22
1990	31	20
1991	29	9
1992	24	10
1993	29	15

Planning Inquiries

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many recommendations from the Planning Appeals Commission on planning inquiries held in Northern Ireland since 1973 have not been upheld by the responsible Minister.

Mr. Tim Smith: Ten.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Northern Ireland if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Sir John Wheeler: Details of payments to individual consultancy firms have not been disclosed as this would breach commercial confidentiality. A list of the consultancy firms employed each year has been placed in the library.

Expenditure on consultants by Northern Ireland Departments for each of the last five financial years is as follows:

	£
1989-90	12,901,349
1990-91	7,674,423
1991-92	12,987,469
1992-93	8,717,868
1993-94	15,408,337

Loyalist Paramilitary Groups

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland if he will list the number of persons suspected of being loyalist paramilitary members and those suspected of being republican paramilitary members who were arrested in the Ards area between January and July 1993; how many in each category were subsequently charged; and what were the figures in each case for the period July 1993 to May 1994.

Sir John Wheeler: The available information is for the Newtownards RUC sub-division, and is as follows:

	1 January 1993 to 31 July 1993	*1 August 1993 to 31 May 1994*
Number of suspect loyalists arrested	34	30
Suspect loyalists charged	13	5
Number of suspect republicans arrested	1	3
Suspect republicans charged	—	—

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many and what percentage of deaths due to terrorism have been caused by loyalist paramilitary groups in each of the past 20 years in Northern Ireland.

Sir John Wheeler: An annual breakdown, attributing murders to specific terrorist groups, is available only from 1987. The figures are set out as follows:

	By Loyalists		*By Republicans*	
	Number	*Per centage*	*Number*	*Percentage*
1987	15	19	65	81
1988	22	26	62	74
1989	18	32	39	68
1990	19	29	46	71
1991	40	46	47	54
1992	39	52	36	48
1993	47	57	35	43

For the whole period 1969 to 1993, the approximate breakdown is 32 per cent. by Loyalists and 68 per cent. by Republicans.

Schools (Capital Funding)

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland whether he will provide a detailed list of the schools in both the primary and secondary sectors in Northern Ireland that have received capital funding over the past four years; and what were the amounts in each case.

Mr. Ancram: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Vehicle Licences

Mr. Connarty: To ask the Secretary of State for Northern Ireland what consultations took place before, and what considerations underlay, the decision to cease issuing vehicle licenses through post offices in Northern Ireland.

Mr. Tim Smith: Responsibility for the subject in question has been delegated to the Driver and Vehicle Licensing Northern Ireland Agency under its chief executive, Mr. Brendan Magee. I have asked him to arrange for a reply to be given.

Letter from Brendan Magee to Mr. Michael Connarty, dated 6 June 1994:

The Secretary of State for Northern Ireland has asked me to reply to your question regarding the decision to cease issuing vehicle licences through post offices in Northern Ireland.

Only 14 post offices in Northern Ireland are designated for re-licensing of vehicles. Figures for 1993-94 show that 61 per cent. of customers licensed their vehicles at DVLNI local offices, 22 per cent. by post to DVLNI Head Office and 17 per cent. at the designated post offices.

The key consideration underlying the decision was the need for DVLNI to make economies to live within its budget allocation for 1994-95. DVLNI is a demand led organisation engaged on the core activities of registering vehicles, licensing vehicles and the issuing of driver licenses. When savings need to be made they have to be in the method of delivery as the Agency cannot limit the volumes of business.

Prior to the decision being made, the Agency Advisory Board was told of the difficulties created by the shortfall in funding. After further discussions with the Agency's parent department (DOE NI) a paper was prepared informing the Minister of DVLNI's intention to withdraw the facility. Post Office Counters Ltd. were also kept informed.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Northern Ireland when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Sir John Wheeler: The principles contained within the code of practice on Government information have applied to the Northern Ireland Office and Northern Ireland Departments since 4 April 1994. In common with United Kingdom Departments, we will use the central guidance on interpretation of the code, a copy of which is available in the Library of the House.

Arable Area Payments Scheme

Mr. Tipping: To ask the Secretary of State for Northern Ireland if he will set out by county a breakdown of the 1993 arable area payments scheme.

Mr. Ancram: To date the number of applications received and amounts paid under the EC arable area scheme in Northern Ireland by county are as follows:

County	Main scheme (set-aside)		Simplified scheme	
	Total No. of applications	Total amount paid £	Total No. of applications	Total amount paid £
Antrim	7	62,681·75	670	610,590·73
Armagh	7	88,088·92	249	225,733·59
Down	66	661,110·32	1,039	1,095,369·67
Fermanagh	—	—	2	1,136·02
Londonderry	32	285,703·41	658	638,822·28
Tyrone	7	46,910·24	334	295,806·12
TOTAL	119	1,144,494·64	2,952	2,867,458·41

Special Schools

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many children currently attend special schools in Northern Ireland; what is the estimated cost during the school year 1993-94 of providing a mid-day meal for pupils in special schools in Northern Ireland; and what is the estimated saving to the Department of Education (Northern Ireland) arising from the decision to introduce a charge for school meals in special schools during the 1994-95, 1995-96 and 1996-97 school years from September 1994.

Mr. Ancram: The number of children attending special schools in Northern Ireland is 4,392.

Cost estimates are not available on a school year basis, but the estimated cost during the financial year 1993-94 of providing a mid-day meal for pupils in special schools in Northern Ireland was £701,000.

The estimated savings arising from the decision to charge for school meals from September 1994 in the financial years 1994-95, 1995-96 and 1996-97 are as follows:

	£
1994-95	65,000
1995-96	180,000
1996-97	275,000

Police, Castlereagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the population of the borough of Castlereagh; how many community police officers operate within the borough; and if he will make a statement on the adequacy of policing within the borough.

Sir John Wheeler: At the time of the last census in 1991, the population of the borough of Castlereagh was 60,799.

The deployment of police officers is an operational responsibility of the Chief Constable, but I understand that three sergeants and 28 constables are dedicated to "community police officer" duty in the Castlereagh area. However, all officers are encouraged to adopt a community role at all times.

The Chief Constable takes into account both operational requirements and available resources in the deployment of police officers.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Northern Ireland in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Sir John Wheeler: If it is the intention of the Northern Ireland Office or of any of the Northern Ireland Departments to make responses to a consultation document publicly available, those consulted are informed that their responses will be made public unless the writer explicitly asks for them to be kept confidential.

The code of practice on Government information commits Government Departments to publishing relevant facts and analysis underlying major policy proposals and decisions and this will include the details of consultation responses. The code does not require provision of the responses themselves, although this will often be the most straightforward way of providing the information.

Housing Association Ombudsman

Dr. Wright: To ask the Secretary of State for Northern Ireland what progress has been made in appointing an ombudsman for housing association tenants in both Northern Ireland and Wales.

Mr. Tim Smith: It is intended to appoint an ombudsman for tenants of registered housing associations in Northern Ireland by the end of the year. This is in line with the commitment contained in "The Citizen's Charter Second Report 1994". The position in Wales is a matter for the Secretary of State for Wales.

NATIONAL HERITAGE

Consultants

Mrs. Dunwoody: To ask the Secretary of State for National Heritage if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Sproat: Since it was established in April 1992, my Department and its two agencies awarded contracts as follows:

(a) KPMG—seven contracts valued at approximately £186,000.
(b) Touche Ross—two contracts valued at approximately £210,000.
(c) Price Waterhouse—three contracts valued at approximately £221,000.
(d) Ernst and Young—four contracts valued at approximately £162,000.
(e) CSL—nil.
(f) Prime—nil.
(g) Basis—nil.
(h) Theodore Goddard—nil.
(i) Dibb Lupton Broomhead—nil.
(j) Capita Management Consultancy—one contract valued at approximately £34,000.
(k) Shreeveport—nil.

Contracts valued at approximately £6 million have been awarded to the following 86 organisations:

Accord Group—TYZACK
ADAS
AIBS
Ajax Health and Safety
Alan Rhodes Associates
Alter Ego
Baker, Wilkins and Smith
BDM Limited
Bedford Timber Preservation
BMRB International
Brenda White Associates
Capita Management Consultancy Ltd.
Cluttons
Communication by Design Ltd.
Coopers and Lybrand
Crane Davies Limited
Cumbria Tourist Board
David Jacques
David Greaves
Derek Etherington
Donald Piggot
Drivas Jonas
Engineering Surveys Ltd.
Ernst and Young
Feilden and Mawson
Fitch
Food Services Associates (Henley) Ltd.
GAH Limited
Halcrow Fox
Heart of England Tourist Board
HH&S Ltd.
Humberts Leisure Ltd.
Institute of Manpower Studies
J. M. Consulting Ltd.
John Sumsion
John Herbert Partnership
John Barnes
Kennedy and Donkin
Korn Ferry International
KPMG
Land Use Consultants
Lawrence Graham
Library and Information Co-operation Council
Light Projects
Lowe Bell Communications
Mason
Mercer Management Consultants
MEW Research
Moon Communications
National Economic Research Associators
Naylor Conservation
North West Tourist Board
Northamptonshire Archaeological Unit
Numbers Market Research Limited
P. Flaxman
PA Consultancy
Paper White Design Consultants
PE International
Peter Morley Associates Ltd.
Positive Solutions
Price Waterhouse
Research International
Review team appointed consisting of Professor Richard Marks and Richard Munday
RM Consultants
RMJM and Caroe and Partners
Royston Brown
Search Training International Ltd.
Sema Group Systems Ltd.
Stoy Haward
Symonds
TA Consultancy
Tectus
The Jenkins Group
The Conservation Practice
Thesaurus
Touche Ross
Towers Perrin
University of London
University of Cambridge
Vital Statistics Limited
Warrington Fire Research
Watts and Partners
William Page
WLF Pierce and Partners
Yorks and Humberside Tourist Board

It is not possible, without involving disproportionate cost, to give figures for each of the three financial years since the Department was established.

National Lottery

Ms Mowlam: To ask the Secretary of State for National Heritage whe[illegible]e expects to publish in final form his directions to the distributing bodies of the national lottery.

Mr. Brooke: I will shortly issue final directions under section 26(1) and (2) of the National Lottery etc. Act 1993 to the Arts Council of England, the Sports Council, the Millennium Commission and trustees of the National Heritage Memorial Fund. My right hon. Friends the Secretaries of State for Scotland and for Wales and my right hon. and learned Friend the Secretary of State for Northern Ireland will issue similar directions to the distributing bodies operating in Scotland, Wales and Northern Ireland. My right hon. and learned Friend the Home Secretary will issue directions to the National Lottery Charities Board when it has been established. Financial directions under section 26(3) will shortly be issued to all the established distributing bodies for formal consultation.

Treasure Trove

Ms Walley: To ask the Secretary of State for National Heritage if he will now consult the National Council for Metal Detecting concerning treasure trove.

Mr. Brooke: Treasure trove is now the responsibility of my Department. The National Council for Metal Detecting has been consulted on treasure trove by the sponsors of a private peer's Bill, the Treasure Bill, which secured Government support during its passage through the House of Lords. The Bill aims to reform the law of treasure trove and provides for a statutory code of practice on the payment of rewards. If the Bill completes its passage through the Commons, my Department has undertaken to consult interested parties on the code of practice and this consultation would certainly include the National Council for Metal Detecting.

Government Information

Mr. Llew Smith: To ask the Secretary of State for National Heritage when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Sproat: My Department published its procedural note setting out how the Department intends to respond to requests made under the code of practice on access to government information, on 30 March 1994. A press release issued on 29 March explained how the public could obtain copies of the note.

I have placed a copy of the note in the Library.

SCOTLAND

Non-departmental Bodies

Mr. Redmond: To ask the Secretary of State for Scotland if he will list the non-departmental bodies in Scotland the conduct of which can be referred to the Parliamentary Commissioner for Administration.

Mr. Lang: The non-departmental public bodies sponsored by my Department subject to investigation by the Parliamentary Commissioner for Administration are as follows:

The Crofters Commission
The Red Deer Commission
Scottish Homes—except in respect of actions as a landlord
The Scottish Legal Aid Board
Scottish Natural Heritage
The Scottish Medical Practices Committee
The Scottish Sports Council
The Scottish Tourist Board

Mr. Wilson: To ask the Secretary of State for Scotland what statutory provisions govern the right of appointed members of non-departmental public bodies to inspect information held by that organisation; and in what circumstances such information can be withheld from them.

Mr. Lang: The detailed right of members of any NDPB depend on the basis on which the body was set up. Some NDPBs are governed by the Companies Acts, some by other statutes or royal charter and others have no statutory basis. However, as the board of an NDPB has ultimate responsibility for the performance of the body, I would expect its members to have access to all material information held by the body.

Sheltered Accommodation

Mr. Dunnachie: To ask the Secretary of State for Scotland if he will release immediate dedicated funding to enable Scottish local authorities to provide more homes that are suited to the needs of elderly and disabled persons; and if he will make a statement.

Lord James Douglas-Hamilton: Substantial resources totalling some £426 million have been made available to local authorities in 1994-95 for investment to meet the housing needs of their areas. These allocations are generally not earmarked for specific purposes and it is for local authorities themselves to determine how to utilise the resources available to them, including the level of expenditure on the provision of housing suited to the needs of the elderly and disabled.

Alcohol (Illegal Resale)

Mr. Colvin: To ask the Secretary of State for Scotland how many prosecutions have taken place since 1 January 1993 of people illegally importing and reselling alcoholic liquor in Scotland; how many resulted in fines or imprisonment; and if he will make a statement.

Lord James Douglas-Hamilton: Statistics in this category are not separately kept and cannot be obtained except at disproportionate cost.

Local Government Reorganisation

Mr. Worthington: To ask the Secretary of State for Scotland whether the meetings of the proposed authorities will be in public and their guidelines about the need for openness and accountability will be the same as for local authorities.

Sir Hector Monro: The new water and sewerage authorities will not be part of local government. It would, therefore, be inappropriate for them to be required to follow guidelines produced for local authorities. It will be for the new authorities themselves to decide whether any of their meetings should be open to the public. The new authorities will be under a statutory obligation to have regard to the interests of every person who is a customer or potential customer and the customers council will be established to represent the interests of customers and potential customers to the new authorities.

Foreign Students

Mr. Trimble: To ask the Secretary of State for Scotland how many third-level students from *(a)* the Republic of Ireland, *(b)* other European Community countries and *(c)* non-European Community countries were enrolled in universities and colleges in Scotland in each year since 1984-85; and what has been the cost or income in each category to the Scottish education budget.

Lord James Douglas-Hamilton: The information is set out in the table:

Students enrolled in Scottish universities and colleges from:

Year	*(a) Republic of Ireland*	*(b) Other European Union countries*	*(c) Non-European Union countries*
1984-85	58	493	4,849
1985-86	60	592	5,752
1986-87	90	654	6,378
1987-88	163	788	6,253
1988-89	282	970	6,049
1989-90	366	1,521	6,316
1990-91	450	2,028	6,429
1991-92	596	2,669	6,408
1992-93	763	3,369	6,665

For 1993-94, the total cost of tuition fees for students from European Union countries met by the Scottish education budget and administered by the Student Awards Agency for Scotland is £5·7 million. Equivalent figures for 1992-93 and 1991-92 are £4·8 million and £3·1 million respectively.

Students from non-European Union countries are expected to meet the full cost of their tuition. Income from non-European Union students is credited to the host institution and not to the education budget.

Law Students

Mr. McFall: To ask the Secretary of State for Scotland how many students are currently studying for a diploma in legal practice at each Scottish university.

Lord James Douglas-Hamilton: Information collected by the Law Society of Scotland for the academic year 1993-94 is as follows:

University	*Number of Students*
Aberdeen	92
Dundee	75
Edinburgh	116
Glasgow	113
Strathclyde	102
Total Scotland	498

Mr. McFall: To ask the Secretary of State for Scotland what estimate he has of the total cost involved in funding a law student who completes an LLB and diploma in legal practice at a Scottish university.

Lord James Douglas-Hamilton: The estimated cost of full public funding for a student completing a four-year LLB and a one-year diploma in legal practice is £28,550. This estimate assumes full funding of tuition by the Scottish Higher Education Funding Council and full student support based on elsewhere maintenance rates, no parental/spouse contribution and no excess travel.

Mr. McFall: To ask the Secretary of State for Scotland how many students currently studying for a diploma in legal practice at Scottish universities have not yet secured a legal traineeship place.

Lord James Douglas-Hamilton: The latest available estimate is 230.

Mr. McFall: To ask the Secretary of State for Scotland how many Scottish Education Department-funded places there are for the diploma in legal practice each year.

Lord James Dougals-Hamilton: Institutional grant funding for teaching at Scottish higher education institutions is now the responsibility of the Scottish Higher Education Funding Council. There is no separate category or allocation of funded or fees-only places for the diploma in legal practice. Taught undergraduate and postgraduate courses in law and legal studies are included but not specified by SHEFC in the broader category of "Social Sciences". The number of post-graduate student awards available for Scottish-domiciled students undertaking the diploma course in 1993-94 is 390. Other students may finance their own costs of tuition and maintenance.

Gender Reassignment Surgery

Mrs. Fyffe: To ask the Secretary of State for Scotland (1) if he will use his powers to require the Western general trust hospital, Edinburgh, to continue its previous policy of carrying out at least one gender reassignment operation per year or to ensure that an appropriate hospital in the Lothian health board area continues to carry out this work;

(2) what is his policy on the availability and funding of gender reassignment surgery.

Mr. Stewart: It is a matter for individual health boards to decide whether to purchase gender reassignment services and, if so, what resources to devote to them.

Lothian health board has decided not to purchase gender reassignment routinely from 1 April 1994. However, I understand that the board will enable patients who have already undergone the complex counselling and other preparatory work and are already on a waiting list to proceed to surgery where a commitment has previously been given.

Cancer

Mr. Martyn Jones: To ask the Secretary of State for Scotland (1) how many cases of bone cancer per 100,000 head of population there have been in Scotland in each year since 1970;

(2) how many cases of cancers of all types per 100,000 head of population there have been in Scotland in each of the years since 1970.

Mr. Stewart: The information requested is set out in the table:

Year of diagnosis	*Rate per 100,000 population* Bone and connective tissue	All malignant neoplasms
1970	2·55	298·90
1971	2·52	289·21
1972	2·49	309·20
1973	3·00	322·57
1974	2·44	314·47
1975	2·94	355·78
1976	3·00	356·25
1977	3·21	365·03
1978	2·86	379·85
1979	3·15	383·23
1980	3·27	395·19
1981	3·11	403·19
1982	2·40	407·22
1983	2·68	[illegible]15·66
1984	2·90	[illegible]·27
1985	2·73	[illegible]29
1986	2·25	4[illegible]85
1987	2·68	43[illegible]·39
1988	2·94	440·87
1989	3·00	442·71
1990	2·97	467·83
1991	2·72	459·33
1992	[1]2·68	[1]461·61

[1] Provisional figures.

Ambulance Service

Mrs. Fyfe: To ask the Secretary of State for Scotland, pursuant to his answer of 17 May, *Official Report*, column *407*, if he will list the ways in which trust status will allow the Scottish ambulance service to make much faster progress towards the achievement of its four main objectives listed in his answer.

Mr. Stewart: Faster progress is expected because:

a. the trust board will be dedicated full-time to the running of an ambulance service, facilitating faster decision making;

b. the trust will have freedom to negotiate with staff and their local representatives on terms and conditions of service which encourage and reward performance;

c. local accountability will improve the responsiveness of the service; and

d. the trust will have freedom to optimise the use of its assets and resources to enhance patient care.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Scotland if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Lang: I refer the hon. Member to my replies to the hon. Member for Oldham, West (Mr. Meacher) on 21 February 1994, *Official Report*, columns *51-52*, and to the hon. Member for Greenock and Port Glasgow (Dr. Godman) on 16 March 1994, *Official Report*, columns *659-60*.

Health Workers

Ms Primarolo: To ask the Secretary of State for Scotland what was the number of health visitors, district nurses, school nurses and community psychiatric nurses expressed as whole-time equivalents in September of each year from 1988 to 1992.

Mr. Stewart: For information on the requested categories of community nurses, I refer the hon. Member to my reply given to her on 16 June 1993, *Official Report*, columns *547-50*.

Figures for school nurses are as follows:

Whole-time equivalent at 30 September

Year	*Number*
1988	234·4
1989	229·6
1990	232·9
1991	292·4
1992	286·5

Ms Primarolo: To ask the Secretary of State for Scotland what was the number of health visitor students and district nurse students in training expressed as whole-time equivalents in March of each year from 1988 to 1993.

Mr. Stewart: The information requested is shown in the table.

Health Visitors and District Nurses in training: Whole-time equivalents as at 31 March

	In Training	*Health Visitors*	*District Nurses*
1988	249	104	145
1989	190	81	109
1990	212	109	103
1991	146	85	61
1992	108	52	56
[1]1993	104	51	53

[1] 1993 figures are estimates.

Note: Statistics may not include students who are not on the NHS payroll.

Sexual Abuse

Mr. McFall: To ask the Secretary of State for Scotland how many cases relating to the sexual abuse of children were reported by the police to the procurator fiscal in each Scottish region in each of the past five years.

Lord James Douglas-Hamilton: The information is not readily available and cannot be obtained except at disproportionate cost.

Mr. McFall: To ask the Secretary of State for Scotland (1) how many payments were made by the Criminal Injuries Compensation Board which resulted from the sexual abuse of children in Scotland in each of the past five years; and what was the total paid in awards for each year:

(2) how many awards made by the Criminal Injuries Compensation Board relating to the sexual abuse of children in Scotland in each of the last five years involved a case where a criminal conviction also resulted.

Lord James Douglas-Hamilton: The information requested is not available.

Mr. McFall: To ask the Secretary of State for Scotland how many claims where recevied by the Criminal Injuries Compensation Board which resulted from the sexual abuse of children in Scotland in each of the last five years.

Lord James Douglas-Hamilton: The number of applications received by the board relating to the sexual abuse of children in Great Britain is set out:

Year	*Number*
1989-90	1,318
1990-91	1,812
1991-92	2,881
1992-93	3,200

The board's records do not show how many of the applications result from the sexual abuse of children in Scotland.

The board did not record statistical information of this type before April 1989 and the information for 1993-94 is not yet available.

Coxsackie Virus

Mr. Tom Clarke: To ask the Secretary of State for Scotland what research is being undertaken into the coxsackie virus in Scotland.

Mr. Lang: Information on this is not held centrally, but my Department is aware that the Aberdeen university microbiology department is deeply involved in research into the coxsackie virus, particularly in relation to heart disease and chronic fatigue syndrome. This research is being funded by the Wellcome Trust, the Linbury Trust and the British Heart Foundation. A joint research project is currently planned with a group at the Southern general hospital in Glasgow.

In addition the regional virus laboratory at Ruchill hospital, Glasgow is conducting research into the early diagnosis of coxsackie infections using a technique which can identify small amounts of DNA to replace traditional methods of culture. The relationship between coxsackie viruses and chronic fatigue syndrome, aseptic meningitis and juvenile onset diabetes are also actively under research investigation. This work is currently supported by grants from the ME Association and the Linbury Trust.

Mr. Tom Clarke: To ask the Secretary of State for Scotland what was the incidence of the coxsackie virus in Scotland in the last two years; and in what geographical areas the problem has been identified.

Mr. Lang: The available information is derived from reports confirming the infection received from laboratories by the Scottish Centre for Infection and Environmental Health. The figures for 1992 and 1993 for each health board area are set out. These data do not necessarily reflect the total incidence of the infection in the community, since doctors do not routinely send specimens from every case for laboratory confirmation.

Health board area	*Number of laboratory reports* 1992	1993
Argyll and Clyde	45	79
Ayrshire and Arran	10	4
Borders	5	1
Dumfries and Galloway	29	44
Fife	17	10
Forth Valley	28	35
Grampian	12	5
Greater Glasgow	169	204
Highland	98	38
Lanarkshire	113	127
Lothian	59	18
Orkney	0	0
Shetland	0	2
Tayside	6	3
Western Isles	7	2
Unknown[1]	39	36
Scotland	637	608

[1] Cases where the laboratory reported the isolation of Coxsackie virus but where information on the health board area of residence of the patient was not recorded.

Operating Theatres

Mrs. Fyfe: To ask the Secretary of State for Scotland how many operating theatres are currently in use; and what plans there are to increase their number in any health board areas.

Mr. Stewart: This information is not collected centrally.

Stammering

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will consider giving financial support for an all-Scotland specialist centre for children who stammer; and what estimate he has made of the cost of providing this service.

Mr. Stewart: The Scottish Office has only recently received a proposal for such a service submitted by the Association for Stammerers. I shall write to the hon. Member once this has been considered.

Rev. Morris McKenzie

Mr. Wallace: To ask the Secretary of State for Scotland if he will establish a judicial inquiry into the actions of agencies involved and the circumstances connected with the detention of the Rev. Morris McKenzie and the search of his and church premises in South Ronaldsay on 27 February 1991; and if he will make a statement.

Mr. Lang: No.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Scotland when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Lang: My Department's internal guidance on the commitment in the code of practice to answer requests for information has been available since the beginning of April. I am arranging for a copy of that guidance to be sent to the hon. Member and for copies to be placed in the Library of the House. Internal guidance on the code's other commitments will be made available in due course.

Surgeons

Mrs. Fyfe: To ask the Secretary of State for Scotland how many *(a)* newly qualified surgeons and *(b)* surgeons from outwith Scotland took up posts in NHS hospitals; and how many left the service, in the most recent full year for which figures are available.

Mr. Stewart: In the year ending 30 September 1993, 31 newly qualified consultant surgeons were appointed to posts in NHS hospitals in Scotland and 21 consultant surgeons left the NHS in Scotland either on retiral or for other reasons. Fifteen of the newly qualified consultant surgeons were appointed from outwith the NHS in Scotland. A further two previously qualified consultant surgeons were recruited from outwith Scotland.

These data are derived from a linked comparison of 1992 and 1993 census files. Excluded, therefore, are any doctors who join and then leave between those census dates, although the number is likely to be negligible.

Mrs. Fyfe: To ask the Secretary of State for Scotland in which surgical specialities there remains a shortfall in qualified surgeons; and what steps are being taken to overcome the shortage.

Mr. Stewart: From the information available on consultant posts in the surgical specialities, 92 per cent. of posts advertised since January 1993 have been filled. The senior registrar establishment has been increased in 1994 in ear, nose and throat surgery, general surgery, orthopaedic surgery, plastic surgery and urology. NHS employers have been advised to fill and maintain the senior registrar establishment in all the surgical specialities to provide the numbers of trained surgeons expected to be needed in the future.

Adoption

Mr. George Robertson: To ask the Secretary of State for Scotland (1) what proposals his Department has for ensuring that adoption services are part of the full range of child care services provided by each of the new local authorities;

(2) what assessment his Department has made of the effect of local government reorganisation on adoption services;

(3) what proposals his Department has for ensuring that adoption agencies will continue to provide the same range of placement options for children requiring specialist services pre and post-placement.

Mr. Lang: I refer the hon. Member to the answer provided about adoption services by my hon. Friend to the hon. Member for Glasgow, Shettleston (Mr. Marshall) on 31 March, *Official Report*, columns *832-33*.

Reorganisation of local government will involve some restructuring of services for children, including adoption. But every care will be taken to ensure that services currently available will be maintained. The strategic child care plans which are to be developed from the proposals in "Scotland's Children" will be of direct relevance in this respect. My officials have already had preliminary discussions about reorganisation with the British Agencies for Adoption and Fostering which are grant aided by the Government and which have an important national role to play in the development of adoption services.

Mr. George Robertson: To ask the Secretary of State for Scotland (1) how many adoptions were arranged in the last five years by: *(a)* voluntary organisations, *(b)* local authorities and *(c)* in total;

(2) what assessment his Department has made of the ability of voluntary organisations to arrange adoptions at current levels.

Mr. Lang: The numbers of adoption applications made to Scottish courts in the five years to 1992 are as follows:

	1988	*1989*	*1990*	*1991*	*1992*
Voluntary agencies	58	49	65	54	36
Local Authorities	355	326	327	250	257
Non-agency	423	482	386	357	493
TOTAL	836	857	778	[1]737	786

[1] Total includes a further 76 cases for which information on applicant or agency is not available.

Information on the number of adoptions granted is not available centrally. However, the number of applications granted was on average 97 per cent. of applications made.

Under the Adoption (Scotland) Act 1978, voluntary adoption societies are subject to approval by the Secretary of State in order to ensure that they maintain high professional standards of service and that statutory requirements are observed. Approval is based on periodic inspections, on-going monitoring of the operation of societies and assessment of their effective contribution to the adoption service.

Trauma Centres

Mrs. Fyfe: To ask the Secretary of State for Scotland what evaluation of trauma centres is being conducted, and by whom; and if that evaluation will include the future role of accident and emergency departments which will not cater for such tasks as are to be transferred to trauma centres.

Mr. Stewart: The report of a policy review by the Scottish Office Home and Health Department, entitled "Emergency Healthcare in Scotland: Future Structure of Accident and Emergency Services", was published on 11 April 1994. The NHS Management Executive is considering how the recommendations in the report for the future provision of trauma and other accident and emergency services in Scotland should be taken forward.

Creutzfeldt-Jakob Disease

Mr. George Robertson: To ask the Secretary of State for Scotland, pursuant to his answer of 16 March, *Official Report*, column *738*, how many people have died from Creutzfeldt-Jakob disease between April 1993 and May 1994; and if he will list in each case the names of the deceased and the location of death and the duration of the illness; and whether the procurator fiscal has made a decision as to whether there should be a fatal accident inquiry.

Mr. Lang: The number of people in Scotland who have died from Creutzfeldt-Jakob disease between April 1993 and April 1994 is as follows. The figure for May 1994 is not yet available.

	Number
Definite	28
Probable	9
TOTAL	37

The names of the deceased cannot be disclosed on grounds of patient confidentiality. Information about the location of deaths from CJD, both definite and probable, for the period April 1993 to April 1994 will be published in the third annual report of the CJD surveillance unit in early July. The information requested on the duration of the illness in each case and on any associated fatal accident inquiries is not held centrally.

Arable Area Payments Scheme

Mr. Tipping: To ask the Secretary of State for Scotland if he will set out by region a breakdown of the 1993 arable area payments scheme.

Sir Hector Monro: A breakdown of 1993 claims in Scotland under the arable area payments scheme could only be provided on a regional basis at disproportionate costs. The information is, however, available on an less-favoured area/non-LFA basis and is as follows:

	LFA (ha)	*non-LFA (ha)*	*Total (ha)*
Cereals	40,334	277,997	318,331
Oilseeds	5,013	56,738	61,751
Protein crops	48	4,101	4,149
Set-aside	8,742	61,619	70,361
Simplified Scheme	35,062	20,985	56,047

Health Boards (Motor Cars)

Dr. Godman: To ask the Secretary of State for Scotland what was the amount of money spent on motor cars by *(a)* health boards and *(b)* hospital trusts in 1993-94; and if he will make a statement.

Mr. Stewart: This information is not held centrally. Neither health boards nor NHS trusts are required to seek prior approval for the purchase of motor cars.

NHS Trusts

Dr. Godman: To ask the Secretary of State for Scotland what number and proportion of members of hospital trusts are *(a)* doctors, *(b)* nurses, *(c)* members of other health professions and *(d)* ancillary hospital workers.

Mr. Stewart: General and dental practitioners and employees of health service bodies are ineligible for appointment as chairman or non-executive director of an NHS trust. On the basis of information held centrally, 28—12 per cent.—of non-executive appointees have medical qualifications, seven—2 per cent.—have nursing qualifications and nine—4 per cent.—are members of other health professions. Of the five executive directors on each trust, at least one must be a medical or dental practitioner and one must be a registered nurse or registered midwife.

Fine Defaulters

Dr. Godman: To ask the Secretary of State for Scotland how many prisoners were serving sentences for fine defaults at the latest available date given *(a)* as an absolute number and *(b)* as a percentage of the prison population and broken down by gender.

Lord James Douglas-Hamilton: Responsibility for the subject of this question has been delegated to the Scottish Prison Service under its chief executive, Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from E. W. Frizzell to Dr. Norman A. Godman, dated 14 June 1994:

Lord James Douglas-Hamilton has asked me to reply to your Question about the number of prisoners serving sentences for fine default at the latest available date, given as an absolute number and as a percentage of the prison population, broken down by gender.

The table below gives the information for April 1994. The first column reflects only those individuals received solely to serve a sentence for fine default or those who are serving such a sentence consecutive to an existing sentence: it does not include those who may be serving a fine default sentence which is fully concurrent with an existing sentence.

Average daily population in Scottish penal establishments for April 1994

	Average daily fine default population	*Percentage*	*Average daily "non-fine default" population*	*Percentage*	*Averagedaily total population*	*Percentage*
Male	75	1	5,243	95	5,318	97
Female	6	—	168	3	174	3
TOTAL	81	1	5,411	99	5,492	100

The percentages in some instances do not add to totals due to rounding.

Housing Association Tenants Ombudsman

Dr. Godman: To ask the Secretary of State for Scotland how many complaints have been reported upon by the housing association tenants ombudsman; how many of these have been acted upon by housing associations since December 1993; and if he will make a statement.

Lord James Douglas-Hamilton: The housing association ombudsman service which came into operation on 1 April 1994 has received 25 complaints. All cases are still under investigation, but I am advised that the ombudsman expects action on one complaint to be resolved shortly.

National Parks

Mr. Dafis: To ask the Secretary of State for Scotland if he will publish for each region and for Scotland as a whole *(a)* the total area, *(b)* the area occupied by national parks and *(c)* the percentage of area occupied by national parks.

Sir Hector Monro: There are no national parks in Scotland.

Rape and Murder Trials

Mr. McMaster: To ask the Secretary of State for Scotland how many convictions for rape and/or murder in the past 20 years have been returned on (i) an 8:7 and (ii) an 8:6 majority jury verdict.

Lord James Douglas-Hamilton: The information requested is not available. Section 154 of the Criminal Procedure (Scotland) Act 1975 requires the foreman of the jury to declare only whether the verdict was not unanimous.

Mr. McMaster: To ask the Secretary of State for Scotland what studies and reviews he has undertaken on self-corroborated evidence in rape and murder trials; what criteria are applied when deciding whether self-corroborated evidence is sufficient for prosecution; what plans he has to revise the principle of self-corroboration in Scots law; and if he will make a statement.

Lord James Douglas-Hamilton: No piece of evidence in Scots law can corroborate itself. The essence of corroboration lies in the conjunction of separate testimonies, each from an independent sources pointing to the accused as the perpetrator of the crime. Even where there is an unequivocal admission of guilt, the law requires independent evidence from a source other than the accused pointing to the truth of his confession.

The law is well settled and applies not only in cases of rape and murder. There has, therefore, been no such studies or reviews and there are no plans to revise the principle of corroboration.

Mr. McMaster: To ask the Secretary of State for Scotland in what circumstances the Solicitor-General normally becomes involved in meetings with the prosecution prior to, and during, a trial for murder and/or rape; in what proportion of such trials the Solicitor-General becomes involved in this way; what matters are likely to be discussed at such meetings; and if he will make a statement.

Lord James Douglas-Hamilton: My hon. and learned Friend the Solicitor-General for Scotland—as is my noble and learned Friend the Lord Advocate—is available for consultation and advice in any serious case if the need arises.

Meetings are usually informal and it is not possible to say with any accuracy in what proportion of trials they occur, or to list the matters likely to be discussed.

NHS Hospitals (Creches)

Mrs. Fyfe: To ask the Secretary of State for Scotland if it is his policy that creche facilities at NHS hospitals, whether a trust status or not, should give priority to the children of hospital employees in preference to selling places to those who do not work in the hospital.

Mr. Stewart: The use of creche facilities in NHS hospitals is for the health board or NHS trust to determine.

Raymond Gilmour

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the names of the police officers involved in the original prosecution of Raymond Gilmour who were not interviewed in the investigation following his application for prerogative of mercy; if he will give reasons in each case; if he will detail the dates and place of any interview in which these officers participated prior to the submission of the application; if he will give the name and official designation of those conducting these interviews; and if the *(a)* recording and *(b)* transcripts of these interviews are available for public inspection.

Lord James Douglas-Hamilton: My right hon. Friend's letter of 18 April 1994 explained to the hon. Member that six of the seven police officers involved in the original investigation were interviewed last year and that the other officer had died in the intervening period. None of those officers was interviewed on behalf of my right hon. Friend prior to the submission of the application. The interviews were conducted by the regional procurator fiscal at Paisley and senior officers of Strathclyde police. Statements made in the course of investigations carried out on behalf of the Secretary of State are confidential.

Mr. McMaster: To ask the Secretary of State for Scotland what is his normal practice when considering applications for the prerogative of mercy in respect of evidence which could have been presented during original or appeal trials; how he applied this practice during his consideration of the application for the prerogative of mercy by Raymond Gilmour; what such evidence in this case he dismissed; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. Friend may refer a case to the Court of Appeal in terms of section 263(1) of the Criminal Procedure (Scotland) Act 1975 where he considers that a miscarriage of justice may have taken place in the case of a convicted person. Exceptionally and alternatively, he may recommend an exercise of the royal prerogative of mercy. My right hon. Friend exercises his powers of reference only where new evidence or fresh considerations of substance can be identified in relation to a person's conviction.

The High Court has held that before it will consider new evidence on appeal it must be shown that the additional evidence was not available or could not reasonably have been made available at the trial. Accordingly, my right hon. Friend would not normally refer a case to the Court of Appeal in terms of section 263(1) of the 1975 Act on the basis of evidence which could reasonably have been led at trial.

All aspects of the petitions submitted on behalf of Mr. Gilmour last year were carefully considered, as my right hon. Friend's letter to the hon. Member of 18 April this year explained.

Mr. McMaster: To ask the Secretary of State for Scotland if, during his consideration of the application for the prerogative of mercy by Raymond Gilmour, he ascertained what scientific means investigating officers used to estimate the distance between the murdered body of Pamela Hastie and the tree referred to in Gilmour's alleged confession; and how he accounts for the discrepancies between the various statements of the distance.

Lord James Douglas-Hamilton: Evidence about the location of the victim's body was before the court of trial and was therefore a matter for the jury to assess.

Mr. McMaster: To ask the Secretary of State for Scotland if he will detail the investigative procedures which were followed during the consideration of the application for the prerogative of mercy by Raymond Gilmour; if he will list the departments, agencies and other bodies involved in the investigation; if he will list the name of each person interviewed during the investigation; if he will give the dates and purposes of each interview; and if he will make a statement.

Lord James Douglas-Hamilton: At the request of the Scottish Office, matters raised in the representations submitted by solicitors acting on behalf of Mr. Gilmour were thoroughly investigated by the regional procurator fiscal at Paisley with the assistance of senior police officers. The results of these investigations were duly referred to the Crown Office, which provided reports for my right hon. Friend; details of such inquiries are confidential.

Mr. McMaster: To ask the Secretary of State for Scotland on what date the application for the prerogative of mercy was submitted on behalf of Raymond Gilmour; when it was referred to the Crown Office for investigation and assessment; when the investigative process was completed; and what date the case was referred back to the Scottish Office for decision; and what date a decision was taken.

Lord James Douglas-Hamilton: As explained in my reply to the hon. Member on 7 December 1993, a petition was submitted on behalf of Mr. Raymond Gilmour on 8 January 1993; this petition was referred to the Crown Office on 22 January 1993. Further representations on Mr. Gilmour's behalf were submitted on 12 March and 27 May last year. Reports were received from the Crown Office on 26 August and 2 September 1993. Further investigations were requested on behalf of the Secretary of State on 13 October 1993, the results of which were received from the Crown Office on 8 December 1993. A decision was taken on this case on 15 April 1994 and my right hon. Friend wrote to the hon. Member on 18 April 1994 to inform him of that decision.

Mr. McMaster: To ask the Secretary of State for Scotland what was the majority verdict given by the jury in the original trial of Raymond Gilmour; and what was the reasons for the absence of one of the jurors.

Lord James Douglas-Hamilton: This information is not normally known. I understand in this case however that the guilty verdict was 8:6, one juror having become unfit to continue to serve through illness.

Mr. McMaster: To ask the Secretary of State for Scotland what consideration he gave during his assessment of the application for the prerogative of mercy to the apparent inconsistencies in the explanation given by Raymond Gilmour as to his whereabouts on the day that Pamela Hastie was raped and murdered; if he will detail precisely what these apparent inconsistencies are; and if he will make a statement.

Lord James Douglas-Hamilton: This matter was not raised in the petitions submitted on Mr. Gilmour's behalf last year.

Mr. McMaster: To ask the Secretary of State for Scotland what detailed reasons were given to him by the Minister of State for his decision to withdraw from further consideration of the application for the prerogative of mercy submitted by Raymond Gilmour; on what date he was notified of this decision; if he will detail the sources from which the Minister of State sought and obtained advice; what recollections of involvement in the original prosecution led the Minister of State to decide to withdraw from consideration of the application; on what date he first reported these recollections to him; and if he will make a statement.

Lord James Douglas-Hamilton: Following receipt of a report on Mr. Gilmour's case in February this year, my noble and learned Friend advised the Secretary of State in March that he intended to withdraw from consideration of the papers. My noble and learned Friend advised the hon. Member on 30 March this year of his reasons for his withdrawal and the limited nature of his earlier involvement in his previous capacity as a law officer. Decisions on such cases are taken personally by the Secretary of State.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Scotland in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Lang: All consultative documents issued by my Department inform those consulted that their responses will be made available to the public unless they indicate that they wish their reply to be treated as confidential.

Turing Institute

Mr. Watson: To ask the Secretary of State for Scotland at what point Scottish Enterprise was informed of the financial difficulties which eventually led to the Turing Institute being forced into liquidation; what part was played by Scottish Enterprise in the decision that the institute could not continue trading; and whether financial assistance from Scottish Enterprise was sought by the institute in an attempt to stave off liquidation.

Mr. Stewart: I understand that Scottish Enterprise had been aware of the difficulties being experienced by the institute for around six months prior to it going into liquidation; that it was the directors of the institute themselves who decided to call in the liquidator and that Scottish Enterprise played no part in that decision; and that the company had made no official approach to Scottish Enterprise for further financial assistance since it had been made clear to the company that everything possible had been done to help it in its present form.

Scottish Enterprise's involvement with the institute was, however, essentially an operational matter on which Scottish Enterprise itself is best placed to advise. I know that it would be happy to discuss the matter in detail with the hon. Member if he would find that helpful.

Mr. Watson: To ask the Secretary of State for Scotland what was the value of the minority shareholding which Scottish Enterprise took when the Turing Institute became a limited company in 1992; and what active role in the running of the institute was taken by Scottish Enterprise or its representative.

Mr. Stewart: This is an operational matter for Scottish Enterprise which the hon. Member may be best advised to take up with it direct. However, I understand that Scottish Enterprise's shareholding in the company comprised £100,000 in ordinary shares and £150,000 in preference shares. Scottish Enterprise had a representative on the board of the Turing Institute who, I understand, acted as non-executive chairman.

Miscarriages of Justice

Mr. McMaster: To ask the Secretary of State for Scotland if he will list the cases of alleged miscarriage of justice, both past and present, in which the prosecuting officer was the officer whose name has been supplied to him.

Lord James Douglas-Hamilton: My right hon. Friend is not aware of any such cases in which the investigating officer was the officer in question.

Local Enterprise Companies (Pollution)

Mr. David Marshall: To ask the Secretary of State for Scotland what powers are available to local enterprise companies to treat land polluted by industry; and what is the total area of land polluted by industry which has been treated by each local enterprise company.

Mr. Stewart: Scottish Enterprise and Highlands and Islands Enterprise have been given wide-ranging functions and general and specific powers under the Enterprise and New Towns (Scotland) Act 1990. Those include discretionary powers under section 4(1)(h) and 5(1)(e) respectively to bring derelict land into use or improve its appearance or to assist its being so brought or improved. Those powers and functions are, within certain limits, delegated to the local enterprise companies through their operating contracts with the core bodies.

Information on the total area of land polluted by industry which has been treated by each local enterprise company is not held centrally. I have therefore asked the chairmen of Scottish Enterprise and of Highlands and Islands Enterprise to write to the hon. Member to provide the information requested.

Out-of-town Facilities

Mr. Simon Hughes: To ask the Secretary of State for Scotland (1) how many *(a)* out-of-town shopping centres and *(b)* out-of-town warehouse parks are currently under construction in Scotland;

(2) how many warehouse clubs are currently under construction in Scotland; and how many have planning permission but are yet to start construction;

(3) how many *(a)* out-of-town shopping centres and *(b)* out-of-town warehouse parks have planning permission but are yet to start construction in Scotland.

Mr. Stewart: Detailed information on planning applications, planning consents or projects under construction is not held centrally.

Water and Sewerage Services

Mr. Worthington: To ask the Secretary of State for Scotland what is the proposed method of charging and mechanics of payment for water and sewerage services if his local government reorganisation proposals are enacted.

Sir Hector Monro: It will be for the new water and sewerage authorities to determine water and sewerage charges and the mechanics of payment. These will be set within the framework laid down in the Local Government etc. (Scotland) Bill and will be subject to the scrutiny and approval of the new Customers Council.

Mr. Worthington: To ask the Secretary of State for Scotland whether the 25 per cent. discount for single adult households will continue for water and sewerage services after local government reorganisation.

Sir Hector Monro: Levels of charge and decisions about discounts will be matters for the new water and sewerage authorities. Their charging schemes will be subject to consultation with and approval by the Customers Council.

Procurators Fiscal

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list the procurators fiscal in Scotland, the districts which they cover and their administrative addresses.

Lord James Douglas-Hamilton: The information is given as follows:

Procurator Fiscal	*District*	*Address*
A. D. Vannet	Aberdeen	Inverlair house, West North street, AB9 1AL
A. T. W. Wilson	Airdrie	Sheriff court, Graham street, ML6 6EE
I. D. Douglas	Alloa	Sheriff court, FK10 1HR
Mrs. B. Bott	Arbroath	Aitken house, 15 Hill street, DD1 1BR
N. G. O'Brien	Ayr	29 Miller road, KA7 2AX
A. J. M. Colley	Banff	Sheriff court, AB4 1AU
I. Henderson	Campbeltown	Sheriff court, PA28 6AN
E. B. Russell	Cupar	Sheriff court, KY15 4LS
D. R. Hingston	Dingwall	Sheriff court, Ferry road, IV15 9QX
H. T. Westwater	Dornoch	Sheriff court, IV25 3FD
J. Cardle	Dumberton	3 High street, G82 1NB
D. J. Howdle	Dumfries	Sheriff court, Buccleuch street, DG1 2AN
D. K. Heywood	Dundee	15 West Bell street, DD1 1HD
R. T. Hamilton	Dunfermline	Sheriff court, Carnegie drive, KY12 7HW
D. L. Webster	Dunoon	Sheriff court, PA23 8BQ
A. R. G. Fraser	Duns	Sheriff court, TD11 3DU
R. F. Lees	Edinburgh	3 Queensferry street, EH2 4RB
G. K. Buchanan	Elgin	Sheriff court, IV30 1BU
G. E. Scott	Falkirk	Mansionhouse road, Camelon, FK1 4LW
J. F. McKay	Forfar	Sheriff court, DD8 3LA
Mrs. A. Neizer	Fort William	Sheriff court, PH33 6BR
A. C. Normand	Glasgow	10 Ballater street, G5 9PS
C. C. Donnelly	Greenock	Sheriff court, Port Glasgow road, Bogston PA15 2AA
A. J. P. Reith	Haddington	15 Lodge street, EH41 3DX
W. G. Carmichael	Hamilton	Cameronian house, 3/5 Almada street, ML3 0HG
W. W. Orr	Inverness	2 Baron Taylor's street, IV1 1QL
A. R. G. Fraser	Jedburgh	Sheriff court, TD8 6AR
J. G. McGlennan	Kilmarnock	St. Marnock street, KA1 1DZ
F. R. Crowe	Kirkcaldy	3 East Fergus place, KY1 1XG
F. Walkingshaw	Kirkcudbright	Sheriff court, DG6 4JW
D. K. Adam	Kirkwall	Sheriff court, KW15 1PD
S. R. Houston	Lanark	Sheriff court, ML11 7NE
D. K. Adam	Lerwick	Sheriff court, ZE1 0HD
H. R. Annan	Linlithgow	Stuart house, 181/201 High street, EH49 7EN
C. B. McClory	Lochmaddy	Sheriff court, PA82 5AE
B. R. Maguire	Oban	Sheriff court, PA34 4AL
J. D. Friel	Paisley	106 Renfrew road, PA3 4DX
R. F. Lees	Peebles	Sheriff court, EH45 8SW
I. A. McLeod	Perth	52 Tay street, PA1 5TR
I. S. McNaughton	Peterhead	70 St. Peter street, AB4 6QD

Procurator Fiscal	*District*	*Address*
C. B. McClory	Portree	Sheriff court, IV51 9EH
C. C. Donnelly	Rothesay	Sheriff court, PA20 9AB
D. MacNeill	Selkirk	Sheriff court, TD7 4LE
K. Valentine	Stirling	Sheriff court, FK8 1NH
E. K. Barbour	Stonehaven	Sheriff court, AB3 2JD
Mrs. D. Wilson	Stornoway	County buildings, PA87 2JF
F. Walkingshaw	Stranraer	Sheriff court, DG9 7AA
H. T. Westwater	Tain	1 Tower street, IV19 1DY
A. N. MacDonald	Wick	Sheriff court, KW1 4AJ

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Scotland how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Lang: The information is set out in the table:

	Staff of Grade 3 and above	*Staff below Grade 3*	*Staff Employed in Sections concerned with procurement or contract work*	*Staff Employed in other Sections*	*Subsequent Application*
1985	—	1	—	1	1
1986	1	2	—	3	3
1987	1	2	—	3	2
1988	—	1	—	1	1
1989	—	3	—	3	2
1990	—	4	—	4	3
1991	—	3	—	3	3
1992	4	1	—	5	5
1993	—	1	—	1	1
1994	—	1	—	1	1

EDUCATION

Special Educational Needs

15. **Dr. Lynne Jones:** To ask the Secretary of State for Education what assessment he has made of the costs involved in the implementation of the code of practice on special educational needs.

Mr. Forth: The guidance in the code should not give rise to additional costs: it reflects current good practice in identifying and assessing special educational needs and should result in the more effective and efficient use of existing funding. The Government have introduced new grant for education and training support in 1994-95 to help schools develop special educational needs policies in the light of the code of practice.

17. **Mr. Hall:** To ask the Secretary of State for Education what estimate he has made of the number of children who will require additional learning support including those who will require statements as a result of the implementation of the code of practice on the identification and assessment of special educational needs.

Mr. Forth: Paragraph 2:2 of the code of practice reflects the long-standing estimate that some 20 per cent. of pupils will have special educational needs at some stage of their school career. The purpose of the code of practice is to help ensure that these pupils' needs are appropriately met. Most children's needs will be met in mainstream schools without the making of a statement.

Dearing Report

16. **Mr. David Martin:** To ask the Secretary of State for Education what has been the response of the teacher unions and associations following the publication of the Dearing report on the national curriculum and testing.

Mr. Robin Squire: The Dearing report was broadly welcomed by the teacher associations. Following its publication in January, all but one of the associations called off their boycott of the national tests.

National Curriculum

18. **Mr. Simon Coombs:** To ask the Secretary of State for Education if he will make a statement on the teaching of British history within the national curriculum.

Mr. Robin Squire: My right hon. Friend published his proposals for a revised history curriculum on 9 May. Those proposals put British history at the heart of the curriculum. The proposals are the subject of a public consultation which will last until the end of July. Following the consultation, he proposes to make an order which will require schools to teach the new history curriculum from September 1995.

Sir Michael Neubert: To ask the Secretary of State for Education what representations he has received concerning the proposals for his study of English in the national curriculum.

Mr. Robin Squire: The Department has received seven letters on the proposals for English since they were published for consultation on 9 May. The consultation is being managed by the School Curriculum and Assessment Authority, and consultees have been asked to respond to the authority rather than to the Department. The authority will be advising me on the outcome of the consultation later in the year.

GCSE

19. **Mr. John Greenway:** To ask the Secretary of State for Education what proportion of young people achieved five or more GCSE passes at grades A to C last year; and what was the equivalent figure for 1989.

Mr. Robin Squire: Some 41 per cent. of 15-year-olds in England achieved five or more GCSEs at grade A to C in 1993, compared with 33 per cent. in 1989.

Nursery Education

20. **Mr. Mike O'Brien:** To ask the Secretary of State for Education what research he has funded on the value of nursery education.

Mr. Robin Squire: This Department has not directly funded any research into the value of nursery education recently.

22. **Mr. Ilsley:** To ask the Secretary of State for Education what representations he has received on improving the provision of nursery education.

Mr. Robin Squire: My right hon. Friend has received a large number of representations on nursery education in recent months.

28. **Mr. Simpson:** To ask the Secretary of State for Education if he will list in order the 10 local education authorities that provide the highest number of places for nursery education for the under-fives per head of population and the 10 which provide the lowest number; and what plans he has for bringing the level of provision of the worst up to that of the best.

Mr. Robin Squire: The table shows the local education authority areas in England, which, in January 1993, had the highest and lowest participation rates for pupils under five in maintained nursery schools and nursery classes in maintained primary schools. In addition, many children under five are taught in infant classes in primary schools; these are not included in the figures given. Information about nursery places is not held centrally. My right hon. Friend has made it clear that we are looking at possible ways of extending the opportunities for children under five as resources allow and within our policy of promoting choice, diversity, quality and cost-effectiveness. This may thus incorporate all aspects of under-five provision and not simply be limited to maintained nursery schools and classes. We will announce our conclusions when we are ready to do so.

Percentage of children under five attending maintained nursery schools and nursery classes in maintained primary schools January 1993

LEA	*Percentage*
Newham	64
Walsall	60
Cleveland	57
Sandwell	57
Manchester	57
Merton	57
North Tyneside	55
Salford	54
Wolverhampton	54
South Tyneside	53
Tower Hamlets	53
Gloucestershire	0
Bromley	2
Somerset	3
Wiltshire	4
West Sussex	5
Hampshire	5
Norfolk	5
Kent	5
Dorset	5
Essex	6
Havering	6

Secondary School Places

23. **Mr. Pike:** To ask the Secretary of State for Education whether his Department proposes to end the allocation of secondary school places by random selection.

Mr. Forth: My right hon. Friend has made it clear that he does not consider random selection to be an appropriate way of allocating school places. It is, however, for local education authorities to determine arrangements for admission to county and voluntary controlled schools. I understand that Lancashire LEA has decided to consult parents and others on a proposal that the use of random selection for admission to schools in Burnley and Ormskirk be discontinued.

Gulbenkian Report

24. **Mr. Jim Cunningham:** To ask the Secretary of State for Education what consideration he has given to the Gulbenkian report on discretionary awards.

Mr. Boswell: My right hon. Friend is still considering this report.

Truancy

25. **Mr. Mans:** To ask the Secretary of State for Education if he will make a statement on the tables on truancy published last year by his Department.

Mr. Forth: The Government attach particular importance to regular school attendance. The tables published in November 1993 showed that significant amounts of valuable learning time were being lost due to unauthorised absence. Rates of unauthorised absence also varied widely between individual LEAs and schools. In order to obtain the full picture on pupil absence we are extending the publication requirement in 1994 to include authorised as well as unauthorised absence. The publication of absence data is an important part of a school's accountability to parents and the wider community.

Primary School Overcrowding, Redbridge

26. **Mr. Gapes:** To ask the Secretary of State for Education when he next plans to visit the London borough of Redbridge to discuss primary school overcrowding.

Mr. Robin Squire: My right hon. Friend has no such plans at present.

Student Support

27. **Mr. Canavan:** To ask the Secretary of State for Education if he will introduce new measures to improve financial support for students in further and higher education.

Mr. Boswell: My right hon. Friend makes satisfactory arrangements to provide support through mandatory awards and student loans for most students domiciled in England and Wales on designated courses in higher education. Provision of support for other students in further and higher education is a matter for LEAs and other award-making bodies. Access funds are available for full-time students in particular financial difficulty.

Private Sector Finance

29. **Mr. Patrick Thompson:** To ask the Secretary of State for Education what steps he is taking to encourage the injection of private sector finance into state-funded education.

Mr. Boswell: The Department has established a task group to co-ordinate work to promote and monitor the expansion of opportunities for private finance in education. We shall be publishing an information pack designed to encourage wider investment, and are reviewing the possibility of further action.

Responsible Citizenship

30. **Mrs. Ann Winterton:** To ask the Secretary of State for Education what steps he is taking to ensure that schools nurture in their pupils an appreciation of responsible citizenship.

Mr. Forth: Schools have a statutory responsibility under section 1 of the Education Reform Act 1988 to promote pupils' spiritual, moral, cultural, mental and physical development, and to prepare them for the opportunities, responsibilities and experience of adult life.

Further Education Colleges

Mr. Ainger: To ask the Secretary of State for Education how many representations his Department has received from schools expressing concern that further education colleges are now encouraging 15 and 16-year-old school students to take A-levels in college rather than a school sixth form.

Mr. Boswell: The Department has received some representations from schoolteacher organisations and others about the general question of pupils transferring from schools to colleges in the FE sector. The Department has made it clear that we would expect pupils of compulsory school age to be admitted to FE colleges only exceptionally, where it was clearly justified in the individual case. The Department has also received representations from eight schools proposing that the requirement on schools to distribute information about local colleges to pupils in key stage 4 should be extended to include information about post-16 provision in neighbouring schools.

Parental Choice

Mr. Pike: To ask the Secretary of State for Education what representations he has received regarding *(a)* parental choice and *(b)* appeal procedure in relation to (i) primary schools and (ii) secondary schools in each case; and if he will make a statement.

Mr. Robin Squire: A large number of representations are made to the Department each year about parental choice, school admissions and appeal procedures. Many are from individual parents seeking information or advice. Because of their varied nature, no record is kept of the total number of such approaches.

Graduates

Mr. Spellar: To ask the Secretary of State for Education what have been the numbers of students graduating from *(a)* universities and *(b)* polytechnics in each of the last five years.

Mr. Boswell: The table below shows the number of first degree graduates from former universities Funding Council-funded universities, the Open university, former Polytechnics and Colleges Funding Council-funded polytechnics—including Scottish central institutions—and FE and HE colleges in Great Britain in each of the last five academic years for which information is available.

Thousands

Academic year	*1987-88*	*1988-89*	*1989-90*	*1990-91*	*1991-92*
Universities	69·2	69·9	72·3	73·6	78·3
Open University	6·5	6·4	6·5	6·8	7·2
Polytechnics	37·0	38·6	42·4	48·7	54·1
Colleges	13·4	14·5	13·8	13·1	16·3
TOTAL	126·1	129·4	134·9	142·2	155·9

Source: Statistical Bulletin July 1993 and provisional 1992 data (unpublished).

Counselling Service

Mr. Llwyd: To ask the Secretary of State for Education what is his Department's policy on establishing a confidential counselling service in all schools; and if he will make a statement.

Mr. Forth: Teachers have a general pastoral responsibility for the welfare and well-being of their pupils. Schools need to work closely with a range of specialist support services which may be best placed to offer advice, information and counselling to individual school-age youngsters.

Pupil Reports

Dr. Wright: To ask the Secretary of State for Education what percentage of parents currently receive a written report on their child's progress at least once a year in England.

Mr. Robin Squire: Under the current reporting regulations schools in England are required to send a written report to all parents on their child's progress at least once in every school year.

Standard Assessment Tasks

Mrs. Ann Taylor: To ask the Secretary of State for Education what information he has received from the School Curriculum and Assessment Authority about the number and proportion of schools withdrawing from this year's key stage 2 pilot tests; and if he will make a statement.

Mr. Robin Squire: The School Curriculum and Assessment Authority received a very favourable response from schools invited to take part in its technical and special educational needs pilot. Some 638 schools initially agreed to take part; 84 schools have subsequently withdrawn.

There was also an invitation to all schools to request copies of the key stage 2 test papers. Around three-quarters did so. There was no need for these schools to report whether they administered the tests.

Mr. Harry Greenway: To ask the Secretary of State for Education how many schools conducted 14-plus examinations in English and other subjects this year; how many refused to do so; what number of pupils and teachers were involved in each case; and if he will make a statement.

Mrs. Ann Taylor: To ask the Secretary of State for Education (1) what information he has received from the School Curriculum and Assessment Authority about the proportion of schools at key stage 3 *(a)* administering SATs in 1994 and *(b)* reporting the results; and if he will make a statement;

(2) what information he has received from the School Curriculum and Assessment Authority about the number of schools at key stage 3, which have *(a)* completed all 1994 SATs, *(b)* completed some 1994 SATs, *(c)* completed no 1994 SATs and *(d)* reported the results, where SATs have been taken; and if he will make a statement.

(3) what information he has received from the School Curriculum and Assessment Authority about the proportion of schools *(a)* administering this year's key stage 1 tests and *(b)* reporting the results; and if he will make a statement.

Mr. Robin Squire: It is too early to say how many and what proportion of schools have and have not administered the key stage 1 and 3 tests. Early indications are that there has been significantly more testing in schools than last year.

Grant-Maintained Schools

Mr. Martyn Jones: To ask the Secretary of State for Education what was the value of the assets transferred from the public to the private sector incurred in the process of the privatisation of the Grant-Maintained Schools Centre.

Mr. Robin Squire: The Grant-Maintained Schools Centre Ltd. has always been a private company, limited by guarantee. Until March 1994 it received grant from the Department for specific purposes. From 1 April 1994 the Grant Maintained Schools Foundation Ltd., a non-profit making company limited by guarantee, has taken over from the centre the activities relating to the provision of factual information and advice to schools considering grant-maintained status; and the foundation is now grant-aided by the Department. The Centre, as a private sector company, will be continuing its other activities on a purely commercial basis. No assets were transferred from the public to the private sector as a consequence of these changes.

Conditions attached to previous grant aid to the GMSC Ltd., and to current grants to the GMSF Ltd., require that the proceeds from the disposal of any assets which were purchased from public funds should be surrendered to the Exchequer.

Mr. Don Foster: To ask the Secretary of State for Education how much money was spent by his Department and the Grant-Maintained Schools Foundation *(a)* on literature designed to provide information on grant-maintained status, *(b)* on advertisements promoting the availability of such information and *(c)* on conferences for head teachers and governors in each month since May 1993.

Mr. Robin Squire: Figures for expenditure by the Department on these three areas of activity are not readily available on a month-by-month basis. Nor would they provide a reliable indication of activity in any particular month, because of time lags in the receipt of invoices and in payments.

The available data on the Department's spending on information about grant-maintained status is:

	1993-94 £	[1]*1994-95* £
Publications	297,913	38,495
Advertising	207,000	—
Conferences	309,492	34,532

[1] To end May.

The Grant-Maintained Schools Foundation started operations on 1 April. By the end of May it had not incurred any expenditure on publications, advertising or conferences.

Mr. Don Foster: To ask the Secretary of State for Education how many opt-out ballots were held in each month since May 1993; how many schools voted to become grant-maintained; and how many voted to remain with the local education authority in each month.

Mr. Robin Squire: The information requested is set out below.

Parental ballots on grant-maintained status

	Number of schools balloting	*Number of "Yes" ballots*	*Number of "No" ballots*
1993			
May	77	56	21
June	80	55	25
July	46	33	13
August	11	9	2
September	9	3	6
October	16	13	3
November	36	22	14
December	40	28	12
1994			
January	18	16	2
February	30	16	14
March	39	23	16

	Number of schools balloting	Number of "Yes" ballots	Number of "No" ballots
April	26	12	14
May	23	9	14

Secondary Schools

Mr. Pike: To ask the Secretary of State for Education how many local education authorities in England allow secondary school allocation to be determined by random selection.

Mr. Robin Squire: The information is not held centrally. Circular 6/93, which gives guidance on admission arrangements, underlines the Secretary of State's view that it is not appropriate to determine admission by lot in the event that a school is oversubscribed.

Teacher Training Agency

Ms Estelle Morris: To ask the Secretary of State for Education what *(a)* personal and *(b)* professional specifications need to be met by shortlisted applicants for the post of chief executive of the Teacher Training Agency.

Mr. Robin Squire: The published advertisement for the chief executive of the Teacher Training Agency sets out the general requirements of the post. The decision as to which candidates should be placed on the shortlist will be based on an assessment by executive search consultants of the relevant personal qualities and experience of individual applications.

Ms Estelle Morris: To ask the Secretary of State for Education how much money has been budgeted for the retention of a recruitment agency to advise on the appointments of *(a)* a chief executive and *(b)* other members of the Teacher Training Agency.

Mr. Robin Squire: The amount of money which has been budgeted for the retention of a recruitment agency to advise on the appointment of a chief executive is £24,000.

We do not intend to use a recruitment agency to assist with the appointment of the remaining members of the board.

Psychologists

Mr. Steinberg: To ask the Secretary of State for Education (1) what is his assessment of the adequacy of the supply of educational psychologists; and if he will make a statement;

(2) when he intends to issue guidelines to local education authorities about minimum staffing levels for educational psychology services based on the Warnock report recommendations of 1978;

(3) what measures he will take to reduce waiting lists for children to be seen by educational psychologists.

Mr. Forth: I refer the hon. Member to the replies that I gave to him on 19 and 24 May *Official Report*, columns *547* and *138* respectively. My right hon. Friend has seen no evidence to suggest that there are unacceptable delays for children waiting to be seen by educational psychologists. Local education authorities are responsible for determining the staffing levels of their educational psychology services in order to fulfil their statutory responsibilities. The number of educational psychologists has increased by 31 per cent. since 1985.

Parents (Complaints)

Dr. Wright: To ask the Secretary of State for Education how many complaints by parents about schools have been investigated by the local government ombudsman in each of the last five years; and how many of those complaints concerned *(a)* maintained or local authority-maintained schools, *(b)* voluntary aided and *(c)* grant-maintained schools.

Mr. Robin Squire: This information is not held by the Department. The annual report of the local government ombudsmen for 1992-93 notes that 19 investigation reports in that year concerned education.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Education if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Forth: The information requested is listed.

Firms listed in the question with whom contracts were placed and total value of those contracts *(a)*		*Other firms with whom contracts were placed* *(b)*	*Value of contracts in column (b)* *(c)*
1989			
KPMG Peat Marwick:	£313,000	BIS Ltd.	
		CMG Ltd	
		Coopers & Lybrand	
		Digitus	
		Fearnhart	
		Illston & Crowcroft	
		SCOLL Ltd	£242,000

Firms listed in the question with whom contracts were placed and total value of those contracts (a)		*Other firms with whom contracts were placed* (b)	*Value of contracts in column (b)* (c)
1990			
KPMG Peat Marwick:	£250,000	BIS Ltd.	
Touche Ross:	£64,000	ICL Ltd.	
Ernst & Young:	£35,000	PE International	
		Butler Cox	
		Oracle Ltd.	
		Amtec Consulting	
		CMC Ltd.	
		CMG Ltd.	
		Coopers & Lybrand	
		FI Group	
		Henley Consultants	
		Hoskyns Ltd.	
		Intac Ltd.	
		Kinesis Computing	
		Lalcrest Ltd.	
		LBMS Ltd.	
		Oxford Computer Training	
		Radius Ltd.	
		RML Ltd.	
		SCOLL Ltd.	
		Tranrate Ltd.	
		Tunnock & Parish	
		Two B Ltd.	£609,000
1991			
Touche Ross:	£169,000	Sema Systems	
Price Waterhouse:	£60,000	LBMS Ltd.	
CSL Ltd.:	£23,000	PE International	
Ernst & Young:	£15,000	Duhig Berry	
KPMG Peat Marwick:	£12,000	Kinesis Computing	
		Admiral Ltd.	
		BIS Ltd.	
		Coopers & Lybrand	
		EIS Ltd.	
		Express Consultancy	
		Forvus Ltd.	
		Insight Consulting	
		Thorn EMI	
		WS Atkins	
		BBT Ltd.	
		Brown Associates	
		Dataflex	
		Howard Whiteside & Partners	
		Kinsley Lord	
		London University	
		Mcneil Robertson Partnership	
		Microsoft Ltd.	
		MSL Ltd.	
		MTA Ltd.	
		National Computing Centre	
		Neville Russell	
		Oracle Ltd.	
		Oxford Computer Training	
		PA Consulting	
		Poplar Consultants	
		Radius Ltd.	
		Research Machines Ltd.	
		Robson Rhodes	
		ROCC Computing Ltd.	
		SC Scicon	
		SCS Ltd.	
		Software Sciences	
		Sybase Ltd.	£1,214,000

Firms listed in the question with whom contracts were placed and total value of those contracts *(a)*		*Other firms with whom contracts were placed* *(b)*	*Value of contracts in column (b)* *(c)*
1992			
KPMG Peat Marwick:	£112,000	BIS Ltd.	
Ernst & Young:	£51,000	Insight Consulting	
CSL Ltd.:	£34,000	Admiral Ltd.	
Touche Ross:	£25,000	Aid To Industry	
Price Waterhouse:	£23,000	Audit Consultancy & Training	
Shreeveport Ltd.:	£20,000	BBT Ltd.	
		Central Office of Information	
		Coopers & Lybrand	
		Dubig Berry	
		Express Consultancy	
		Forvus Ltd.	
		Granada Computer Services	
		Kinesis Computing	
		MFT Computer Systems	
		MSL Ltd.	
		Oxford Computer Training	
		Oracle Ltd.	
		PE International	
		Richard Ellis	
		Saxton Bampfylde	
		Sema Systems	
		Thomas Henley Architects	£1,713,000
1993			
KPMG Peat Marwick:	£124,000	Ove Arup & Partners	
Touche Ross:	£91,000	PA Consulting	
Price Waterhouse:	£89,000	Arden Business Consultants	
Capita Ltd:	£26,000	Express Consultancy	
CSL Ltd:	£14,000	Uden Consulting Ltd.	
		AMP Systems	
		Barony Consulting	
		Beard Dove Ltd.	
		BIS Ltd.	
		BUPA Occupational Health	
		CMG Ltd.	
		Coopers & Lybrand	
		DEGW London	
		Ingres Ltd.	
		Kinesis Computing	
		Kingdom Technology	
		KPG Ltd.	
		Microsoft Ltd.	
		Morgan Harris Burrows	
		N. M. Rothschild	
		Oxford Computer Training	
		Trackit Systems	
		WS Atkins	£1,187,000

Honest Broker Service

Dr. Wright: To ask the Secretary of State for Education how many education authorities and schools have established an independent honest broker service for parents and pupils, along the lines of that established by the London borough of Hammersmith and Fulham.

Mr. Robin Squire: This information is not held centrally.

Admissions and Exclusions Appeal Committees

Dr. Wright: To ask the Secretary of State for Education how many lay members have been appointed to admissions and exclusions appeal committees in England and Wales from January 1994 under the provisions of the Education Act 1993.

Mr. Robin Squire: Information on the number of lay members who have been appointed to appeal committees in England is not collected by the Department. The constitution of appeal committees is the responsibility of the local education authorities in the case of county and controlled schools, and the governing bodies in the case of voluntary-aided, special agreement and self-governing—grant-maintained—schools.

My right hon. Friend the Secretary of State for Wales has responsibility for education matters in Wales.

Student Awards

Mrs. Mahon: To ask the Secretary of State for Education whether there is any intention to delegate funding for discretionary awards to the Further Education Funding Council or to colleges.

Mr. Boswell: My right hon. Friend is considering what, if any, changes should be made to the administration of discretionary awards in the light of the report on discretionary award provision published by the Gulbenkian Foundation on 8 April. Any plans to change the current arrangements would be announced to Parliament at the appropriate time.

Adult Training

Mrs. Mahon: To ask the Secretary of State for Education what plans he has to discuss with the Department of Employment ways of making it possible for adults to study towards the improvement of their employment prospects.

Mr. Boswell: The Government's proposals for increasing participation in education and training were set out in the White Paper "Competitiveness: Helping Business to Win" published on 24 May. The Department for Education has regular discussions with the Employment Department about matters of mutual interest, including access of adults to education and training to improve their employment prospects.

Religious Education

Mr. Alison: To ask the Secretary of State for Education (1) what is the minimum period for the teaching of a non-Christian religion at key stage 1; and if he will make a statement;

(2) what are the statutory requirements in respect of the teaching of non-Christian faiths by the age of 11 years.

Mr. Robin Squire: The law does not specify statutory minimum periods to be devoted to the teaching of individual religions. Section 8(3) of the Education Reform Act 1988 requires a locally agreed syllabus to

> "reflect the fact that the religious traditions of Great Britain are in the main Christian, whilst taking account of the other principal religions represented in Great Britain".

A syllabus which contained only Christianity for a whole key stage would not fully meet this requirement, but this does not mean that each of the principal religions must be taught in equal depth or at each key stage. In the syllabus as a whole and at each key stage, the relative content devoted to Christianity should predominate. The precise balance between Christianity and other religions in an individual syllabus is for the local agreed syllabus conference to decide in the light of the legal requirements, and taking into account both the local and national position.

Mr. Alison: To ask the Secretary of State for Education what steps he has taken to ensure that the School Curriculum and Assessment Authority consults parents on their proposals for national model syllabuses for religious education.

Mr. Robin Squire: The School Curriculum and Assessment Authority consulted the National Confederation of Parent Teacher Associations as part of its wide consultation on the draft model syllabuses, published in January. Final versions of the models will be published in July.

Mr. Alison: To ask the Secretary of State for Education if he will publish details of the representations he has received expressing concern about proposals by the School Curriculum and Assessment Authority in relation to compulsory religious education, in respect of the teaching of non-Christian faiths to primary age school children.

Mr. Robin Squire: My right hon. Friend has received about 200 letters on that subject. The number of religions in addition to Christianity that should be covered during the primary phase was one of the issues on which the School Curriculum and Assessment Authority specifically sought comments during consultation on its model syllabuses for religious education. The authority is considering the results of that consultation and will publish final versions of the models in July.

Ecological Subjects

Mr. Dalyell: To ask the Secretary of State for Education what guidance he gives to schools on the teaching of ecological subjects.

Mr. Robin Squire: The national curriculum is the focus for teaching and learning in schools. Ecological questions are addressed through subjects such as science, technology and geography. My right hon. Friend's priority is to revise the national curriculum requirements, and he has no plans to publish additional guidance on ecological matters specifically.

Sex Education Circular

Mr. Pickthall: To ask the Secretary of State for Education what is the status of the paragraphs 20 and 22 of the sex education circular of 11 February omitted from the new circular.

Mr. Forth: Circular 11/87 has been superseded by circular 5/94 which explains the provisions of the Education Act 1993 in relation to sex education in maintained schools in England, and offers guidance to local education authorities and schools on implementation. Circular 5/94 sets out schools' legal obligations, including the requirement that sex education must encourage due regard to moral considerations and the value of family life and contains a summary of the law on sexual behaviour.

Technology Colleges

Mr. Mackinlay: To ask the Secretary of State for Education if he will list the grant-maintained and voluntary aided schools in Essex that applied to become technology colleges and set out for each of the schools for which an application was approved *(a)* the specific, quantifiable performance indicators, set out by the school in support of its application, which were used as a basis for determining the approval of the application, *(b)* the value of the additional grants that the technology college will receive from the Department for Education, or other sources of public funds, by way of the initial capital grant, enhanced capital formula allocation, and additional revenue funding and *(c)* the value of the financial contribution to be made by sponsors from industry and commerce to the initial establishment of the technology college and to the annual cost of its operations.

Mr. Robin Squire: Three schools in Essex have submitted full applications to become technology colleges and have been approved to operate as technology colleges from 1 September 1994. They are Chalvedon school, Basildon; the Philip Morant school, Colchester; and Saffron Walden high school, Saffron Walden. Other schools are at varying stages in preparing their applications.

Each approved technology college's plan includes one or more targets relating to increased curriculum provision in the specialist subjects of technology, science and mathematics; one or more targets relating to increased take-up of such provision; and one or more targets relating to improved test and examination attainment in these subjects. Each has been invited to submit a bid for a capital project which involves a capital grant of up to £100,000; and a bid for additional annual grant, at the rate of £60 per pupil in 1994-95, for support, equipment and training for the teaching of technology, science and mathematics.

Each of the three schools has been pledged sponsorship from industry and commerce of some £100,000 to be made available in the school's first year of operation as a technology college. Additional contributions from sponsors to the annual cost of operation of a technology college are a matter for the schools and their sponsors.

Ethnic Minorities

Mr. Pope: To ask the Secretary of State for Education if he will make a statement on the impact of the reduction in section 11 expenditure on access to, and participation in, the national curriculum of children from ethnic minorities in Brent, Hackney, Redbridge, Avon, Buckinghamshire, Cleveland, Hertfordshire, Birmingham, Lancashire and Wolverhampton.

Mr. Robin Squire: Decisions on the funding of the education of their pupils, including those from ethnic minority groups, are primarily for individual schools and local education authorities. Maintained schools have a statutory duty to deliver the national curriculum as a basic entitlement for all pupils, whatever their background. My right hon. Friend will continue to monitor, through the Office of Standards in Education, the standard of educational provision in all maintained schools, including provision for those pupils for whom English is not their first language. Additional support for the latter category through section 11 grants and the single regeneration budget are matters for, respectively, my right hon. and learned Friend the Home Secretary and my right hon. Friend the Secretary of State for the Environment.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Education in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Forth: The Department now advises respondents to all public consultation documents that their responses may be made public unless they specifically request confidentiality.

School Transport (Seatbelts)

Ms Whalley: To ask the Secretary of State for Education what responses he has made to the Secretary of State for Transport in respect of the *(i)* fitting of seat belts to school mini-buses and for school journeys and *(ii)* the end of the three-to-a-seat rule.

Mr. Forth: My right hon. Friend is in close touch with the Secretary of State for Transport.

Clinical Academic Staff

Mr. Nicholas Winterton: To ask the Secretary of State for Education (1) what steps he intends to take to reduce the delays arising in the translation of the Doctors and Dentists Review Body award, paid to doctors each year on 1 April, to clinical academic staff;

(2) what steps he is taking to improve morale and career prospects within academic medicine in order to ensure the continued recruitment, retention and motivation of clinical academic staff of the necessary calibre;

(3) what steps he is taking to ensure that clinical academic staff receive the same pay awards for 1994 as their national health service counterparts.

Mr. Boswell: The negotiation of pay awards for clinical academic staff is a matter for the university employers, not for my right hon. Friend. It is also for them as employers to decide how best to recruit, retain and motivate their clinical academic staff.

Bradford Muslim Girls School

Mr. Madden: To ask the Secretary of State for Education what representations he has received, during the consultation period, following the application by the Bradford Muslim girls community high school to be granted voluntary aided status; how many representations *(a)* supported the application and *(b)* opposed the application; what meetings his officials have had with representatives of the school to discuss the application; and if he will make a statement.

Mr. Robin Squire: My right hon. Friend has received no such representations. Officials are to meet representatives of the school on 20 June. On the question of a statement on the proposals, I refer the hon. Member for Bradford, West to replies I gave on 31 January, *Official Report,* column *522* and 23 May, *Official Report,* column *46.*

Disabled People

Mr. Alan Howarth: To ask the Secretary of State for Education what plans he has to promote progress in making schools and other places of learning accessible, on a reasonable basis, to disabled people.

Mr. Forth: The Education (Special Educational Needs) (Information) Regulations 1994 require schools to publish, by 1 August 1995, information about their SEN policies, including information about facilities which assist access by pupils who are disabled. Guidance as to how schools might address that requirement is set out in paragraphs 37-39 of circular 6/94—"The Organisation of Special Educational Provision"—which draws attention to the desirability of a spectrum of mainstream schools being fully accessible to the disabled.

Regulations recently made under section 21 of the Education Act 1993 require local education authorities and the Funding Agency for Schools, where it has relevant planning responsibilities, to provide each other and the Secretary of State with information on access to schools for pupils in wheelchairs biennially starting in 1995.

We have promoted, through guidance to the Further and the Higher Education Funding Councils, the development of provision for students with learning difficulties and disabilities. Both the funding councils have in hand initiatives designed to improve access for these students.

Specialist Teacher Assistants

Mrs. Ann Taylor: To ask the Secretary of State for Education how many bids for training specialist teacher assistants his Department has received from *(a)* higher education institutions, *(b)* individual schools, *(c)* consortia of schools and *(d)* local education authorities.

Mr. Robin Squire: My right hon. Friend has received a total of 137 bids, of which 69 fall within the categories mentioned, as follows:

	Number
(a) higher education institutions	44
(b) individual schools	1
(c) consortia of schools	0
(d) local education authorities	24

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Education how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Forth: Detailed records of job offers reported and applications made by staff under the requirements of the business appointment rules have been maintained by the Department since 1990. The information requested is given in the table. Twelve of the 14 applications reported in 1990 and 1991 came from members of Her Majesty's inspectorate.

Job offers reported	*Grades concerned*	*Contract or procurement work*	*Other sections*
1990			
1	Grade 3 or above	No	Yes
8	Below grade 3	No	Yes
All above reports were followed by applications to join the company concerned.			
1991			
5	Below grade 3	No	Yes
Four of the above reports were followed by applications to join the company concerned.			
1992			
No record of any reported job offers.			
1993			
2	Grade 3 or above	No	Yes
Both of the above reports were followed by applications to join the company			
1994			
1	Grade 3 or above	No	Yes
The above report was followed by an application to join the company concerned.			

Publications

Mr. Byers: To ask the Secretary of State for Education which circulars, orders or regulations set out in the timetable for Department of Education publications have not been published or made by the due date; what was the due date in each case; when was the date of publication or making of the order or regulation; and, in respect of those still outstanding, when they are expected to be made.

Mr. Forth *[holding answer 26 May 1994]:* Legislation came into force on the dates originally anticipated in the Education Act 1993 irrespective of any slippage in publication of circulars or other publications. Publication dates for documents which missed the deadline set out in the "Education Act 1993: Timetable of DFE publications" are as described in the list:

Title	*Planned publication date*	*Actual or expected publication date*
Incorporation of Governing Bodies and Dual Use (circular)	November 1993	15 December 1993
GM Schools: Acquisition, Transfer and Governance (circular)	November 1993	31 December 1993
Local Management of Schools (circular)	December 1993	31 January 1994
Provisions for under 5s (circular)	January 1994	towards end of summer 1994
Supply of School Places (circular) (included "GM schools: alteration and discontinuance")	March 1994	summer 1994 (statutory provisions still came into force on 1 April 1994)
Effective Classroom Policies on Behaviour and Discipline (circular)	April 1994	27 May 1994
Education of Pupils with Emotional and Behavioural Difficulties (circular)	April 1994	27 May 1994
Sex Education (circular)	April 1994	6 May 1994
Time Limiting on Exclusions Procedures (circular)	April 1994	27 May 1994
Exclusions: Money Following the Child (circular)	April 1994	end of June 1994
Education otherwise than at School and Pupil Referral Units (circular)	April 1994	27 May 1994
Education of Sick Children (circular)	April 1994	27 May 1994
Education of Children looked after by LAs (circular)	April 1994	27 May 1994

HOME DEPARTMENT

Prisoners (AIDS)

Mr. Maclennan: To ask the Secretary of State for the Home Department what assessment he has made as to the need for condoms to be supplied to prisoners known to be at risk of contracting or spreading the HIV virus.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Mr. Robert Maclennan, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question asking what assessment he has made as to the need for condoms to be supplied to prisoners known to be at risk of contracting or spreading the HIV virus.

The Prison Service AIDS Advisory Committee has recently completed a review of all aspects of HIV in prisons including measures which need to be taken to prevent the spread of HIV infection amongst the prison population. The report of this review is now being considered. In addition the Prison Service has commissioned a study currently being carried out by the Institute of Psychiatry and the National AIDS Counselling Training Unit into risk behaviours amongst prisoners. The results of this study will be available in January 1995.

Mr. Maclennan: To ask the Secretary of State for the Home Department what research is currently being conducted into the spread or prevalence of HIV and AIDS among prisoners; and when he expects this research to be concluded.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Mr. Robert Maclennan, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question asking what research is currently being conducted into the spread or prevalence of HIV and AIDS amongst prisoners.

A pilot feasibility study into the prevalence of HIV amongst prisoners has recently been completed. This study was an extension of the Public Health Laboratory Service's series of unlinked anonymised HIV prevalence studies being carried out elsewhere in the community. The aim of the study was to ascertain whether it was possible to persuade prisoners to provide anonymously a sample of saliva for HIV testing and to answer a short questionnaire to determine the possible route of transmission. It is hoped that the results of the study will be available shortly.

Mr. Maclennan: To ask the Secretary of State for the Home Department what proportion of prisons have *(a)* full-time and *(b)* part-time HIV counsellors; and for how many hours each week, by institution.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from R. Tilt to Mr. Robert Maclennan, dated 14 June 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about Prison Service HIV counsellors.

The Prison Service completed, in 1993, a programme of education and training of selected staff so as to provide in each establishment at least two centrally trained HIV counsellors. By the end of 1993, 200 prison staff had been trained in HIV counselling based on the World Health Organisation model for training in HIV counselling, as adapted by the Prison Service AIDS Advisory Committee for prisons in England and Wales. In addition, the Prison Service has 550 centrally trained HIV care and support officers. These officers, of whom there are also at least two in each establishment, have undergone a four day training course in HIV awareness. They are easily contacted by prison inmates who may have concerns about HIV, and who can then be referred to the internal HIV counsellors or external HIV counsellors if this is deemed necessary.

There are no full-time HIV prison counsellors. All Prison Service HIV counsellors and care and support officers combine this work with other responsibilities—they are nurses, health care officers, discipline officers, psychologists, chaplains, probation officers, governors and prison medical officers.

Prisoners with HIV infection who are well, are expected to be seen by prison medical officers at least on a three monthly basis for full clinical and laboratory monitoring of their state of health. Prisoners with HIV infection may of course request to see a care and support officer, HIV counsellor and/or a prison medical officer whenever they feel this is necessary. It is not therefore possible to say how much HIV counselling by hours per week each prisoner with HIV infection receives.

Young Offenders

Mr. Maclennan: To ask the Secretary of State for the Home Department what assessment he has made as to the suitability of the wing allocated for young offenders in HM prison Gloucester for offenders of this type.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Mr. Robert Maclennan, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question about the suitability of the wing allocated for young offenders in Gloucester prison.

Gloucester prison is a local prison and may hold prisoners of all classifications, including young prisoners. The 81 cells in C wing, which now hold young prisoners were certified suitable for this purpose by the Area Manager.

Ms Ruddock: To ask the Secretary of State for the Home Department what was the average daily number of juveniles remanded in custody in *(a)* March and *(b)* April.

Mr. Peter Lloyd *[holding answer 26 May 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the average daily number of juveniles remanded into custody in *(a)* March and *(b)* April.

During both March and April provisional information indicates that on average five juveniles, aged 15 to 16, a day were received on remand into a Prison Service establishment in England and Wales.

Immigration

Mr. Allen: To ask the Secretary of State for the Home Department whether the United Kingdom will have the discretion to admit a person whose name is on the persona non grata list envisaged in the draft regulation for a common visa list when there are strong compassionate or other reasons justifying admission.

Mr. Charles Wardle: Under article 12 of the draft external frontiers convention a member state would have discretion to admit a person who was on the joint list of inadmissible persons established under article 10 of the convention, on humanitarian grounds, in the national interest or by reason of international commitments. Entry given in such circumstances would, however, be restricted solely to the territory of the member state concerned and there would be a duty to inform other member states of the decision taken.

Mr. Allen: To ask the Secretary of State for the Home Department whether an unemployed Irish national married to a non-European Economic Area spouse will be issued with a residence permit automatically, by virtue of rights to settle under the provisions of the common travel area.

Mr. Charles Wardle: No. Any application made by an Irish national for a residence permit under the provisions of EC law will be dealt with in accordance with the Immigration (European Economic Area) Order 1994, in the same way as an application from a national of any other European Economic Area state. However, Irish nationals will continue to be regarded as settled here under domestic immigration law.

Mr. Allen: To ask the Secretary of State for the Home Department in what circumstances the United Kingdom will have the discretion to refuse entry to a person who has been granted a European visa; and what rights of appeal or redress will apply.

Mr. Charles Wardle: Under the draft external frontiers convention a person holding a uniform visa would not require a United Kingdom national visa to gain entry to the country, but possession of a uniform visa would not entitle the holder to admission. Refusal of admission to a person holding a uniform visa would not attract a right of appeal since uniform visas will be available only for short stays.

Mr. Allen: To ask the Secretary of State for the Home Department what plans he has for primary legislation to remove the benefits of the common travel area residence status from Irish nationals whose legal basis for residence is held to be that of European Economic Area law.

Mr. Charles Wardle: None.

Mr. Allen: To ask the Secretary of State for the Home Department how many people will know if their names have been placed on the persona non grata list envisaged in the draft regulation on a common visa list; whether all countries will have common criteria for placing people on this list; whether these criteria will be made public; and in what circumstances names will be removed from the list.

Mr. Charles Wardle: A joint list of persons to be refused entry to member states of the European Union is provided for in article 10 of the draft external frontiers convention. Article 10.3 sets out the criteria for the inclusion of persons on the list. There has not yet been any agreement on the detailed rules for the application of these criteria, which remain a matter for discussion between member states. It may not be either practicable or in certain cases desirable to introduce an obligation to inform a person of his inclusion on the list. The text of the detailed rules referred to above is likely to fall within the criteria for deposit in both Houses in accordance with the scrutiny arrangements for title VI matters. It will be for individual member states to remove from the list names which they themselves have included, as circumstances change.

Mr. Allen: To ask the Secretary of State for the Home Department what discussions he had with the Irish authorities about the proposal that Irish citizens with non-European Economic Area spouses will need to apply for residence permits in order that their spouses may benefit from EEA rights.

Mr. Charles Wardle: The Irish authorities have been kept closely informed of the provisions of the draft Immigration (European Economic Area) Order 1994 under which the non-EEA dependants of Irish nationals will benefit from EC rights of residence in the same way as the non-EEA dependants of other EEA nationals.

Mr. Allen: To ask the Secretary of State for the Home Department if it will be his practice that non-European Economic Area national children and young people who are granted EEA family permits will continue to be entitled to them after they pass the age of 21 years, or cease to be dependent, and that they will be granted settlement along with the EEA family member on whom their rights depend.

Mr. Charles Wardle: Under the provisions of the Immigration (European Economic Area) Order 1994, non-EEA dependent children of EEA nationals who are exercising rights of residence in the United Kingdom may reside here on the same basis, irrespective of age. However, those children of EEA nationals who pass the age of 21 and cease to be dependent will need to qualify on their own account if they wish to remain in the United Kingdom, unless they have already been granted settlement in line with the EEA national on whom they were at the time dependent.

Mr. Allen: To ask the Secretary of State for the Home Department how many migrant citizens of the European Union or persons purporting to be such there are in each of the past five years whose identify card or passport has been investigated either on the instigation of the immigration service or on the instigation of officials of his Department in order to establish the validity or genuineness of the document; in how many cases such documents were considered to be genuine and applying to the applicant; in how many cases it was concluded that this was not the case; if he will break down the figure by nationality; and in cases where the document was rejected, what right of appeal was offered to the applicant.

Mr. Charles Wardle: This information is not available in the form requested. The table shows the number of falsified, counterfeit or fraudulently obtained EC documents and those used by impostors detected at United Kingdom ports and airports of entry in each of the last three years. The nationality shown is that which the holder of the document purported to be.

	1991	*1992*	*1993*
Belgium	54	28	45
Denmark	1	2	4
France	308	386	485
Germany	8	3	38
Greece	53	31	31
Ireland	2	1	Nil
Italy	39	37	168
Luxembourg	Nil	Nil	Nil
Netherlands	93	79	193
Portugal	190	96	143
Spain	16	13	12
United Kingdom	337	310	462
Total	1,101	986	1,581

The same rights of appeal are available to a person in possession of a forged or falsified passport who is refused leave to enter the United Kingdom or removed as an illegal entrant as to those refused leave or removed in other circumstances.

Prisoners

Ms Ruddock: To ask the Secretary of State for the Home Department on what date in March the number of prisoners in England and Wales being held three to a cell reached zero; on what dates since then prisoners have been held three to a cell, and at which prisons; and how many prisoners have been held three to a cell on each occasion.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question about prisoners sharing three to a cell.

This information is submitted routinely by establishments on the last Friday of each month, and was collected exceptionally on 31 March 1994, the end of our financial year.

On Friday 25 March 1994 there were twenty-four prisoners sharing three to a cell designed for one at Leicester prison. On Thursday 31 March 1994 and Friday 29 April 1994 there were no prisoners sharing three to a cell designed for one.

Escapees

Ms Ruddock: To ask the Secretary of State for the Home Department how many escapes there were from Group 4 Court Escort Services during 1993-94.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question about the number of escapes from Group 4 escorts in the East Midlands and Humberside.

Between the commencement of the service on 5 April 1993 and 31 May 1994, there have been a total of 31 escapes, excluding 19 prisoners immediately recaptured. The Group 4 court escort and custody service covers work previously undertaken by both the prison and police services within the contract area. In the first year of operation Group 4 carried out a total of 100,656 prisoner movements and the escape statistics should be seen in that context.

Ethnic Minorities

Mr. Pope: To ask the Secretary of State for the Home Department if he will list the budget allocations for section 11 grants for 1993-94 and 1994-95; if he will list the numbers of section 11 posts reported to his Department as having been made redundant; and how many of those redundant posts were held by members of ethnic minorities in Brent, Hackney, Redbridge, Avon, Buckinghamshire, Cleveland, Hertfordshire, Birmingham, Lancashire and Wolverhampton.

Mr. Peter Lloyd: Available information is shown in the table.

Previously grant has been paid as a proportion of actual salary costs incurred. The first figure shows the amount of grant payable in relation to expenditure reported by the authority or institution as having been incurred during 1993-94. The second figure is the budget allocation which has been notified to the authority or institution in relation to its expenditure in 1994-95, under new arrangements for the payment of grant. The other two columns show numbers of posts of which formal notification had been received from an authority or institution by 10 June that, with effect from April 1994 or Septemberr 1994 respectively, they would no longer form part of a project attracting section 11 grant. Information is not held centrally as to particular arrangements for the management of a reduction in the number of posts, or as to the ethnic background of postholders.

Grant recipient	*Grant cost £ 1993-94*	*Allocation £ 1994-95*	*Notified reductions in numbers of Section 11 posts, with effect from April 1994*	*September 1994*
Avon	818,931	615,251	—	—
Barking and Dagenham	323,379	230,860	—	—
Barnet	863,312	748,243	—	—
Bedfordshire	3,151,026	2,361,022	—	—
Berkshire	1,423,166	1,053,875	[2]14·00	—
Bexley	161,586	100,138	—	—
Birmingham	5,483,109	4,046,501	—	—
Blackburn	68,107	49,539	—	—
Bolton	1,171,230	880,595	[2]1·00	—
Bradford	5,611,597	4,204,150	—	—
Brent	2,402,307	1,742,385	[1]—	[1]—
Buckinghamshire	1,490,140	1,180,697	—	—
Burnley	25,772	18,774	—	—
Bury	486,477	354,547	[1]—	[1]—
Calderdale	1,165,370	853,361	—	9·00
Cambridgeshire	1,335,768	976,563	—	—
Camden	1,563,056	1,111,346	—	—
Cardiff	10,727	7,888	—	—
Cheshire	99,664	73,862	—	—
Cleveland	653,286	479,638	—	—
Coventry	2,785,023	2,108,375	—	[3]76·76
Croydon	1,327,959	949,775	—	—
Derbyshire	1,432,669	1,046,415	—	22·50
Devon	15,816	11,949	[1]—	[1]—
Doncaster	137,275	100,338	—	—
Dudley	1,121,136	877,198	—	—
Durham	171,737	119,090	—	—
Ealing	3,418,619	2,632,879	—	[1]—

			Notified reductions in numbers of Section 11 posts, with effect from	
Grant recipient	*Grant cost £ 1993-94*	*Allocation £ 1994-95*	*April 1994*	*September 1994*
East Sussex	179,216	139,412	[1]—	[1]—
Enfield	1,432,895	1,058,164	—	—
Essex	34,685	25,755	—	—
Gateshead	32,918	22,732	—	—
Gloucester	40,868	28,983	—	—
Gloucestershire	362,423	265,008	[1]—	[1]—
Greenwich	1,770,981	1,329,673	13·70	—
Gwent	268,583	192,662	—	—
Hackney	3,957,860	3,147,620	[1]—	[1]—
Hammersmith and Fulham	962,912	713,289	3·60	—
Hampshire	748,448	558,367	—	—
Haringey	3,165,094	2,604,874	[1]—	[1]—
Harrow	752,412	556,992	—	—
Havering	50,636	39,169	—	—
Hereford and Worcester	238,339	175,235	—	—
Hertfordshire	1,975,256	1,503,058	—	[1]—
Hillingdon	413,068	317,055	—	—
Hounslow	1,905,257	1,401,864	—	—
Humberside	390,983	275,983	—	—
Hyndburn	23,426	17,860	—	[1]—
Islington	2,120,080	1,434,673	[2]6·50	—
Kensington and Chelsea	1,152,828	899,845	14·00	—
Kent	1,386,302	1,095,957	[1]—	[1]—
Kingston	152,223	106,742	—	—
Kirklees	3,222,136	2,402,511	[1]—	[1]—
Lambeth	1,477,280	1,109,603	[1]—	[1]—
Lancashire	5,843,285	4,629,966	—	[1]128·31
Leeds	2,153,838	1,725,338	—	—
Leicester	165,214	115,597	—	—
Leicestershire	4,290,729	3,228,512	—	[1]—
Lewisham	2,155,486	1,637,467	—	—
Lincolnshire	69,958	61,319	—	—
Liverpool	216,630	165,185	[1]—	[1]—
London Boroughs Grants Unit	160,067	123,071	[1]—	[1]—
Manchester	2,827,118	2,225,999	3·60	[1]9·50
Merton	713,163	490,246	—	—
Middlesbrough	7,179	[3]—	—	—
Newcastle	411,262	303,140	[1]—	[1]—
Newham	2,847,660	2,206,728	[1]—	[1]—
Norfolk	78,002	68,285	—	—
North Tyneside	161,692	115,586	—	—
North Yorkshire	65,123	49,312	—	—
Northamptonshire	890,134	663,758	—	—
Nottingham	84,003	61,435	—	—
Nottinghamshire	1,991,441	1,519,199	—	—
Oldham	2,510,714	1,909,961	2·50	[1]—
Oxford City	7,650	3,322	—	—
Oxfordshire	871,818	684,260	—	[1]—
Preston	18,199	12,834	—	—
Redbridge	1,240,862	933,052	[1]—	[1]—
Redditch	17,935	12,971	—	—
Richmond	76,799	56,225	—	—
Rochdale	1,582,323	1,193,213	17·00	—
Rotherham	442,168	327,313	—	—
St. Albans	23,628	18,105	—	—
St. Helens	18,975	14,043	0·90	—
Salford	64,834	47,498	—	—
Sandwell	1,644,471	1,228,775	[1]—	[1]—
Scunthorpe	31,615	16,103	—	—
Sheffield	2,299,408	1,697,662	—	—
Shropshire	114,218	84,104	—	—
South Glamorgan	591,519	444,978	[1]—	[1]—
South Yorkshire FCDA	16,649	12,751	—	—
Southampton	5,876	11,422	—	—
Southwark	2,513,573	1,965,479	[1]—	[1]—
Staffordshire	1,088,534	924,043	5·75	—
Stockport	103,265	76,079	—	—
Suffolk	317,330	237,235	—	—
Sunderland	115,825	87,284	—	—
Surrey	400,899	291,845	—	—
Sutton	62,881	46,902	—	—
Tameside	780,925	585,940	—	—
Tower Hamlets	9,048,416	6,826,782	[1]—	[1]—
Trafford	329,296	242,981	[1]—	[1]—
Wakefield	404,567	296,729	—	—

			Notified reductions in numbers of Section 11 posts, with effect from	
Grant recipient	*Grant cost £ 1993-94*	*Allocation £ 1994-95*	*April 1994*	*September 1994*
Walsall	2,125,562	1,579,939	—	50·30
Waltham Forest	2,056,550	1,585,015	—	—
Wandsworth	1,809,548	1,434,386	—	19·00
Warwickshire	1,045,855	785,021	—	—
West Midlands FCDA	86,633	65,241	—	—
West Sussex	280,628	212,623	[1]—	[1]—
West Yorkshire FCDA	129,534	95,651	—	—
Westminster	1,958,679	1,498,548	—	—
Wigan	60,071	44,078	[1]—	[1]—
Wiltshire	163,849	121,565	—	—
Wirral	95,393	75,839	—	—
Wolverhampton	2,065,570	1,575,008	—	—
FE Colleges				
Arnold and Carlton	69,417	45,530	—	—
Barnet	70,552	59,505	—	—
Bexley	31,028	24,920	—	—
Birmingham FE	1,918,978	1,376,534	—	—
Bradford and Ilkley	315,097	219,568	—	—
Cambridge Regional	192,189	142,792	—	—
Charles Keene	100,043	77,199	—	—
Coventry Tech	58,620	47,229	—	—
Crawley	48,191	34,688	—	0·64
Croydon	108,841	77,665	—	—
Dewsbury	70,764	52,895	—	—
Doncaster	26,428	18,684	—	—
Dudley	187,614	136,755	—	—
Ealing	124,070	93,710	—	—
Enfield	149,646	111,567	—	—
Gateshead	30,524	21,437	—	—
Gloscat	33,781	24,312	—	—
Greenhill	218,531	162,085	—	—
Hackney	304,289	234,260	[1]—	[1]—
Hammersmith and West London	38,774	28,865	—	1·00
Hendon	174,843	128,419	—	—
Henley	72,099	50,799	1·33	—
Hopwood Hall	23,630	[3]—	—	—
Huddersfield	108,625	68,385	—	—
Islington	92,214	67,102	—	—
Joseph Chamberlain	93,841	67,762	—	—
Keighley	51,246	44,658	0·44	—
Kensington and Chelsea	41,761	33,119	—	—
Kingsway	65,894	49,613	—	—
Leyton 6th Form	23,680	18,574	—	—
Luton 6th Form	87,785	64,118	—	—
Mancat	43,847	32,652	[1]—	[1]—
Newcastle	55,715	39,206	[1]—	[1]—
Newham	426,655	225,627	[1]—	[1]—
North East London	174,501	124,985	—	—
North Hertfordshire	73,449	56,138	—	—
North West London	446,261	352,602	[1]—	[1]—
Northampton	104,267	77,420	—	—
Nottingham Consortium	134,419	110,736	—	—
Oakland	82,996	60,499	0·70	—
Oldham	68,447	58,463	[1]—	[1]—
Park Lane	137,391	110,314	—	—
Rotherham	33,933	24,874	—	—
Sandwell	[4]—	51,876	—	—
Sheffield	244,610	172,067	—	—
Southgate	61,584	49,649	—	—
Tameside	53,649	40,638	—	—
Thomas Danby	200,581	146,874	—	[1]—
Tile Hill	66,060	47,158	—	—
Tower Hamlets	485,309	356,733	—	—
Tresham	70,489	59,848	—	—
Uxbridge	77,084	51,481	—	—
Wakefield	32,847	24,773	0·50	—
Walsall	26,680	18,074	—	—
Waltham Forest	47,021	35,591	—	—
Wandsworth	59,480	48,140	—	—
West Hertfordshire	71,787	64,296	—	[1]—
Westminster	54,137	44,189	—	[1]—
Wirral	14,754	10,788	—	—
Woolwich	35,767	24,583	—	—

Grant recipient	*Grant cost £ 1993-94*	*Allocation £ 1994-95*	*Notified reductions in numbers of Section 11 posts, with effect from April 1994*	*September 1994*
Grant-maintained schools, etc.[5]				
Ash Green	7,525	6,217	—	—
Ashcroft	4,546	3,549	—	—
Avon Valley	15,571	11,750	—	—
Beechview	9,322	6,995	—	—
Bridgewater and Brindley Hall	17,746	13,111	[1]—	[1]—
Burntwood	74,081	55,687	[1]—	[1]—
Claremont	18,016	13,629	—	—
Copland	50,336	33,860	—	0·50
Deacons	49,746	24,823	—	1·50
Djanogly CTC	31,072	23,343	—	—
Francis Bacon	32,166	24,645	0·30	—
George Dixon	[6]28,445	81,865	—	—
Graveney	94,891	69,720	[1]—	[1]—
Greenford	61,314	39,461	—	—
Greenwood Dale	34,388	26,111	—	—
Hall Green	12,810	9,320	—	—
Hamilton	54,648	41,410	—	—
Hendon	35,052	28,041	—	—
Holly Hall	[6]2,083	3,778	—	—
Holy Trinity	14,151	10,819	—	—
London Oratory	54,050	38,025	[1]—	[1]—
Myton	26,977	19,888	—	—
Ninestiles	[6]12,687	16,530	—	—
Northampton Boys	21,001	13,372	—	—
Northolt	7,745	5,379	[1]—	[1]—
Oldfield	5,409	3,645	[1]—	[1]—
Radcliffe	13,903	10,478	[1]—	[1]—
Raines Foundation	36,169	27,146	—	—
Reading Girls	16,566	12,773	—	—
Robert Napier	1,652	1,220	—	—
Small-Heath	67,441	50,626	—	—
Stratford	71,641	54,277	—	—
Wood End	6,726	6,815	—	—
Wrenn	36,240	27,351	—	—

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[1] Information, or further information, is awaited from the authority or institution.

[2] It is understood that functions previously funded under section 11 will continue under the authority's mainstream funding.

[3] Section 11 project approved only until 31 March 1994.

[4] Separate project not established until 1 April 1994.

[5] The table does not include schools with new project proposals which are in the process of consideration, or where a budget allocation figure for 1994-95 has not yet been finally notified.

[6] Part-year expenditure figure—separate project established during 1993-94.

Local Authority Elections

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will make it his policy to collect centrally and arrange for the official publication of the results of all local authority elections and by-elections.

Mr. Peter Lloyd: Results of local authority elections outside London are collected by the local government chronicle elections centre, university of Plymouth, and published in the local elections handbook series. Electoral data for London boroughs are collected and published by the London Research Centre. It would not be an effective use of resources for the Home Office to duplicate the work of either the university of Plymouth or the LRC.

The Home Office collects information on the number and turnout in by-elections. This is published annually in "Social Trends" and the Central Statistical Office's "Annual Abstract of Statistics". We do not currently publish the results of individual by-elections and there are no plans to do so.

Homicide

Ms Ruddock: To ask the Secretary of State for the Home Department how many prisoners in England and Wales were serving sentences for homicide at the latest available date, given *(a)* as an absolute number and *(b)* as a percentage of the prison population, and broken down by gender.

Mr. Peter Lloyd *[holding answer 26 May 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking how many prisoners in England and Wales were serving sentences for homicide at the latest available date, given (a) as an absolute and (b) as a percentage of the prison population, and broken down by gender.

The latest available provisional information is for 31 March 1994. On that date some 3,600 persons in Prison Service establishments in England and Wales for whom an offence was recorded were serving sentences for murder, attempted murder, making threats to kill, conspire/aid/incite murder, manslaughter, infanticide, death by reckless driving and "other" homicides. They accounted for 11 per cent. of the sentenced prison population for whom an offence was recorded. The corresponding proportion for males was 11 per cent. and for females 12 per cent.

Restraint Use

Mr. Michael: To ask the Secretary of State for the Home Department how many times restraints were used on *(a)* prison inmates and *(b)* persons in police custody during 1993.

Mr. Peter Lloyd: Provisional information for 1993 shows that there were 111 applications of restraints under rule 46 of the Prison Rules 1964 and rule 49 of the Young Offender Institution Rules 1988 in Prison Service establishments. Those applications cover the use of canvas jackets, body belts, handcuffs and ankle straps but do not include the use of protective rooms and special cells. It also does not cover the use of restraints while prisoners are being escorted between Prison Service establishments or between cells to the governor's office within an establishment, matters on which information is not collected centrally.

No information is collected centrally on those held in police custody on whom restraints are used.

Prison Staff Ratios

Ms Ruddock: To ask the Secretary of State for the Home Department what was the ratio of staff to prisoners at each prison in England and Wales at the latest available date.

Mr. Peter Lloyd *[holding answer 26 May 1994]*: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question about staff to prisoner ratios in the Prison Service.

A table showing the ratios of staff of all grades to prisoners at each prison, as at 25 May, has been placed in the House of Commons library.

25 May 1994

Establishment	*Ratio*
Acklington	1:1·8
Albany	1:1·3
Aldington	1:1·6
Ashwell	1:2·1
Askham Grange	1:1·3
Aylesbury	1:0·8
Bedford	1:1·1
Belmarsh	1:1·0
Birmingham	1:1·4
Blakenhurst	1:1·7
Blantyre House	1:1·4
Blundeston	1:1·5
Brinsford	1:1·4
Bristol	1:1·1
Brixton	1:0·9
Brockhill	1:1·2
Bullingdon	1:1·3
Bullwood Hall	1:0·9
Camp Hill	1:1·3
Canterbury	1:1·2
Cardiff	1:1·3
Castington	1:1·6
Channings Wood	1:2·2
Chelmsford	1:1·2
Coldingley	1:1·3
Cookham Wood	1:1·3
Dartmoor	1:1·4
Deerbolt	1:1·5
Dorchester	1:1·4
Dover	1:1·1
Downview	1:1·5
Drake Hall	1:1·6
Durham	1:1·2
East Sutton Park	1:1·4
Elmley	1:1·5
Erlestoke	1:1·2
Everthorpe	1:1·2
Exeter	1:1·2
Featherstone	1:1·9
Feltham	1:1·4
Finnamore Wood	1:2·2
Ford	1:2·5
Frankland	1:0·8
Full Sutton	1:0·8
Garth	1:1·5
Gartree	1:1·0
Glen Parva	1:1·7
Gloucester	1:1·1
Grendon (including Spring Hill)	1:4·0
Guys Marsh	1:1·0
Hollesley Bay	1:1·0
Haslar	1:1·7
Hatfield	1:1·1
Haverigg	1:1·5
Hewell Grange	1:1·4
High Down	1:1·3
Highpoint	1:1·7
Hindley	1:1·1
Holloway	1:1·0
Holme House	1:1·6
Hull	1:1·1
Huntercombe	1:1·2
Kingston	1:1·2
Kirkham	1:2·7
Kirklevington	1:1·0
Lancaster Farms	1:1·3
Lancaster	1:2·0
Latchmere House	1:1·8
Leeds	1:1·6
Leicester	1:1·1
Lewes	1:1·1
Leyhill	1:2·2
Lincoln	1:1·6
Lindholme	1:1·5
Littlehey	1:2·0
Liverpool	1:1·6
Long Lartin	1:0·7
Low Newton	1:1·5
Maidstone	1:1·4
Manchester	1:1·1
Moorland	1:1·6
Morton Hall	1:2·2
New Hall	1:1·0
North Sea Camp	1:1·9
Northallerton	1:0·8
Norwich	1:1·0
Nottingham	1:1·0
Onley	1:1·7
Oxford	1:2·1
Parkhurst	1:0·5
Pentonville	1:1·4
Portland	1:1·3
Preston	1:1·2
Pucklechurch	1:0·6
Ranby	1:1·6
Reading	1:0·9
Risley	1:1·5
Rochester	1:0·8
Rudgate	1:2·2
Send	1:1·4

Establishment	*Ratio*
Shepton Mallet	1:1·3
Shrewsbury	1:1·3
Stafford	1:1·5
Standford Hill	1:1·9
Stocken	1:1·8
Stoke Heath	1:1·3
Styal	1:1·0
Sudbury (including Foston Hall)	2:1·0
Swaleside	1:1·5
Swansea	1:1·1
Swinfen Hall	1:1·1
Thorn Cross	1:1·4
The Mount	1:2·4
The Verne	1:1·9
Thorp Arch	1:1·3
Usk	1:1·3
Wormwood Scrubs	1:1·3
Wakefield	1:1·1
Wandsworth	1:1·2
Wayland	1:2·1
Wellingborough	1:1·6
Werrington	1:1·3
Wetherby	1:1·1
Whatton	1:1·6
Whitemoor	1:0·8
Winchester	1:1·0
Wolds	1:1·7
Woodhill	1:1·1
Wymott	1:1·0

Note: The figures are to the nearest decimal point.

Prison Population

Ms Ruddock: To ask the Secretary of State for the Home Department (1) what percentage of *(a)* remand and *(b)* sentenced male prisoners were aged (i) 16 and under, (ii) 17 to 21 inclusive, (iii) 22 to 24 inclusive, and (iv) over 24 years at the latest available date;

(2) what percentage of *(a)* remand and *(b)* sentenced female prisoners were aged (i) 16 and under, (ii) 17 to 21 inclusive, (iii) 22 to 24 inclusive and (iv) over 24 years at the latest available date.

Mr. Peter Lloyd *[holding answers 26 May 1994]:* Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Questions asking what percentage of *(a)* remand and *(b)* sentenced male and female prisoners were aged (i) 16 and under, (ii) 17 to 21 inclusive, (iii) 22 to 24 inclusive and (iv) over 24 years at the latest available date.

The latest available provisional information is for the prison population in Prison Service establishments on 31 March 1994 and is given in the attached tables.

Percentage of population in Prison Service establishments in England and Wales by type of custody and sex on 31 March 1994[1]

Age	*Type of custody*	
	Percentage of remand population	*Percentage of sentenced population*
Males		
16 and under	2	1
17—21	29	18
22—24	17	15
Over 24	52	66
Females		
16 and under	0	1
17—21	19	13
22—24	16	15
Over 24	65	71

[1] Provisional figures. Sentenced includes fine defaulters but not non-criminal prisoners.

Ms Ruddock: To ask the Secretary of State for the Home Department what was the prison population broken down by security category, at the latest available date.

Mr. Peter Lloyd *[holding answer 26 May 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question asking what was the prison population broken down by security category, at the latest available date.

The latest information is for 3 May 1994 and is given in the attached table.

Estimated adult male sentenced population in Prison Service establishments in England and Wales by security category on 3 May 1994[1]

	Number
Category "A"	600
Category "B"	5,500
Category "C"	15,400
Category "D"	5,600

[1] Excludes sentenced adult males awaiting categorisation, young offenders and sentenced female prisoners who are categorised as suitable for open or closed conditions only and remand prisoners who are not assigned a security category until they are sentenced.

Ms Ruddock: To ask the Secretary of State for the Home Department how many prisoners in England and Wales were serving sentences for violent offences at the latest available date, given *(a)* as an absolute number and *(b)* as a percentage of the prison population, and broken down by gender.

Mr. Peter Lloyd *[holding answer 26 May 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question asking how many prisoners in England and Wales were serving sentences for violent offences at the latest available date, given *(a)* as an absolute number and *(b)* as a percentage of the prison population, and broken down by gender.

The latest available provisional information is for 31 March 1994. On that date some 16,200 persons in Prison Service establishments in England and Wales for whom an offence was recorded were serving sentences for violence against the person, robbery or for a sexual offence. They accounted for 46 per cent. of the sentenced prison population for whom an offence was recorded. The corresponding proportion for males was 46 per cent. and for females 27 per cent.

Ms Ruddock: To ask the Secretary of State for the Home Department what percentage of the prison population was (a) remand and (b) sentenced prisoners in each of the last 36 months and at the latest available date.

Mr. Peter Lloyd *[holding answer 26 May 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question asking what percentage of the prison population were (a) remanded and (b) sentenced prisoners in each of the last 36 months and at the latest available date.

The available information for the percentage of remand and sentenced prisoners in custody is calculated for the last day of each month. It is given in the table for the period March 1991 to March 1994.

Percentage of prison population by type of custody England and Wales, March 1991 to March 1994[1,2]

	Percentage on remand	*Percentage sentenced*
1991		
March	21	78
April	22	77
May	22	77
June	22	77
July	22	77
August	22	77
September	23	76
October	23	76
November	22	77
December	22	77
1992		
January	23	76
February	23	76
March	22	77
April	22	77
May	22	77
June	22	77
July	21	78
August	22	77
September	22	77
October	22	77
November	22	77
December	21	78
1993		
January	23	76
February	23	76
March	23	76
April	23	76
May	24	75
June	24	75
July	24	75
August	25	74
September	25	74
November	25	73
December	24	75
1994		
January	26	73
February	25	73
March	24	74

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[1] Prisoners held in police cells are included in both the total prison population and included with the remand and sentenced populations.

[2] Non-criminal prisoners are included in the total prison population but are excluded from both the remand and sentenced.

Remand Prisoners

Ms Ruddock: To ask the Secretary of State for the Home Department what was the average time spent on remand by (a) males and (b) females remanded into custody in 1993.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from D. Lewis to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me to reply to your recent Question asking what was the average time spent on remand by (a) males and (b) females remanded into custody in 1993.

The available information is estimated from the figures for the population and receptions of untried prisoners in 1993. For males the average time served as an untried prisoner was estimated as 55 days and for females 39 days.

Prisoners (Time Served)

Ms Ruddock: To ask the Secretary of State for the Home Department what was the average amount of time served by (a) male and (b) female prisoners released from prison in England and Wales in each year since 1980.

Mr. Peter Lloyd *[holding answer 26 May 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Ms Joan Ruddock, dated 14 June 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the average amount of time served by (a) male and (b) female prisoners released from prison in England and Wales in each year since 1980.

Information on the average time served in custody is published in successive volumes of "Prison Statistics, England and Wales" (Tables 3.15, 4.15 and 5.15 of the 1991 edition, Cm 2157), copies of which are available in the Library of the House. I attach a table giving the available information. Information for 1992 will be published in "Prison Statistics England and Wales 1992" which is to be published this month. I regret that incomplete information is available before 1988.

Average time served in custody in Prison Service establishments under sentence[1] *by prisoners discharged from determinate sentences on completion of sentence or on licence, 1980-1991*[3]

Months

	Average time served in custody under sentence[1]			
	Young Offenders			
	Males	*Females*	*Adult Males*	*Adult Females*
1980	—	—	8·3	—
1981	—	—	—	—
1982	—	—	—	—

	Average time served in custody under sentence[1]			
	Young Offenders			
	Males	*Females*	*Adult Males*	*Adult Females*
1983	—	—	—	—
1984	—	—	—	—
1985	—	—	6·0	—
1986	—	—	6·6	4·2
1987	—	—	6·7	4·6
1988	4·1	3·3	7·0	4·8
1989	4·7	3·7	7·5	5·3
1990	5·0	4·8	8·0	5·8
1991	4·7	3·9	8·4	6·2

[1] Excluding time served in custody on remand awaiting trial or sentence, which counts towards the discharge of sentence.

[2] Excludes discharges following recall after release on licence, non-criminals and persons committed to custody for non-payment of a fine.

TRANSPORT

Security

Mr. Donohoe: To ask the Secretary of State for Transport if he will make a statement on the use of private detective agencies and security companies by his Department.

Mr. Key: Private detective agencies are principally used by the Department to assist with prosecutions for failure to pay vehicle excise duty, claims for damage to roads and actions against trespassers. Other uses include tracing former employees who inadvertently have been overpaid, and inquiring into complaints by the public about an employee.

Security companies are used by the Department to provide a building custody service at some locations; for the collection and conveyance of cash for banking; for the protection of property required for road schemes; and for security advice and training.

Private Members' Bills

Ms Lynne: To ask the Secretary of State for Transport on what occasions since April 1992 Ministers from his Department have *(a)* requested parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Norris: Parliamentary counsel drafts not on behalf of private Members but on the instructions of Departments acting on the authority of Ministers.

With the authority of Ministers, amendments were drafted by parliamentary counsel on instructions from my Department and subsequently passed to private Members in respect of the Merchant Shipping (Registration of Ships) etc. Act 1993 and the Merchant Shipping (Salvage & Pollution) Bill.

Vehicle Inspectorate

Mrs. Dunwoody: To ask the Secretary of State for Transport how much money was spent in each of the last two financial years on Vehicle Inspectorate enforcement.

Mr. Key: Some £22,427,000 was spent on Vehicle Inspectorate enforcement in 1992-93. For 1993-94, the forecast outturn spend is £22,109,000.

Mrs. Dunwoody: To ask the Secretary of State for Transport what is the budget set for Vehicle Inspectorate enforcement for this financial year.

Mr. Key: The answer is £22,021,000.

Efficiency Savings

Mrs. Dunwoody: To ask the Secretary of State for Transport what are the efficiency targets set for each executive agency within this Department for the next two years.

Mr. MacGregor: My reply of 29 April *Official Report*, column *385* and that of my hon. Friend the Minister for Roads and Traffic of 12 April, *Official Report*, column *83*, set out the key targets, including efficiency targets, which I have set the executive agencies in my Department for the year 1994-95. I have also set the Department, including the agencies, a requirement to make a 20 per cent. improvement in efficiency with the target of achieving it over the two years beginning 1 April 1994.

Mrs. Dunwoody: To ask the Secretary of State for Transport what efficiency savings his Department will make this financial year; and what are the Department's efficiency savings targets for the next financial year.

Mr. John MacGregor: As I explained in my reply of 9 May to the hon. Member, *Official Report*, column *58*, I have set my Department the requirement that it deliver a 20 per cent. efficiency saving and the target of securing this by 31 March 1996. Plans for delivering this saving are still being formulated. It is, therefore, too early to say how much of the saving will be achieved in 1994-95 and how much in 1995-96. It is not my intention to set separate targets for the two financial years.

Mrs. Dunwoody: To ask the Secretary of State for Transport whether any Vehicle Inspectorate testing stations will be closed because of the Department's target of 20 per cent. efficiency savings over the next two years.

Mr. Robert Key: There are no plans for closures of the Vehicle Inspectorate's testing stations. The network will be kept under review in the light of customer demand and the availability of suitable alternative facilities. Proposals for achieving the 20 per cent. efficiency savings required by my right hon. Friend have yet to be determined and considered by Ministers.

Mrs. Dunwoody: To ask the Secretary of State for Transport whether any driving test centres in addition to the 22 test centre closures recently announced will be closed as a result of the Department's target to make 20 per cent. efficiency savings over the next two years.

Mr. Key: My right hon. Friend announced on 9 May that he was requiring the Department to make an efficiency gain of 20 per cent. with the target of achieving it over the next two years. The chief executive of the Driving Standards Agency has been asked to submit proposals to meet this remit, and my right hon. Friend will be considering these in due course. No decisions have been reached.

Pregnant Workers Directive

Mrs. Dunwoody: To ask the Secretary of State for Transport what steps his Department has taken to comply with the provisions of EC pregnant workers directive 92/85.

Mr. Steven Norris: The Department of Transport's maternity leave arrangements satisfy the maternity provision of the Trade Union Reform and Employment Rights Act 1993, which give effect to the corresponding articles of the directive. The health and safety provisions of EC directive 92/85, which are to be covered by an amendment to the health and safety at work regulations, will also be fully implemented by the Department by the required date.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* CSL, *(d)* Prime, *(e)* Capita *(f)* Shreeveport, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Price Waterhouse and *(k)* Ernst & Young to his Department.

Mr. Norris: The information requested is shown in the table.

	1989	*1990*	*1991*	*1992*	*1993*	*Total*
KPMG Peat Marwick						
Financial advice on DVOIT privatisation[1]	0	0	0	177,967	375,853	553,820
IT/IS strategy advice	0	0	0	90,000	0	90,000
Disc network policy[2]	0	0	0	26,102	0	26,102
TRL privatisation study[1]	0	0	0	0	78,150	78,150
Routine Maintenance Management System[3]	0	25,000	50,000	50,000	50,000	175,000
Network referencing	0	0	0	36,000	73,000	109,000
Project management software[2]	0	0	0	171,980	0	171,980
Implementation of computerised accounting system[1]	0	86,000	8,000	0	0	94,000
Railways privatisation[1]	0	0	0	1,446,809	1,446,809	2,893,618
PMS implementation study[2]	0	0	24,654	122,300	0	146,954
Audit of ex-Trinity House liquidated funds[2]	0	0	4,800	0	0	4,800
	0	111,000	87,454	2,121,158	2,023,812	4,343,424
Touche Ross						
Accommodation Management Information System[2]	0	0	0	49,646	19,935	69,581
Contracts let by DVLA	0	0	0	0	96,000	96,000
Future of Greater Manchester Buses[2]	0	53,120	0	0	0	53,120
The impact of price-fixing agreements[2]	0	5,000	0	0	0	5,000
	0	58,120	0	49,646	115,935	223,701
CSL						
Preparation of an in-house bid: included in figures for Touche Ross	—	—	—	—	—	0
DVOIT privatisation[1]	0	0	0	18,000	19,756	37,756
	0	0	0	18,000	19,756	37,756
Prime						
Market Testing in DVLA	0	0	0	0	47,000	47,000
	0	0	0	0	47,000	47,000
Capita						
In-house bid for DVLA despatch	0	0	0	0	11,000	11,000
Contracts let by Office Services	0	0	0	12,120	83,817	95,937
	0	0	0	12,120	94,817	106,937
Shreeveport						
Contracts let by DVLA	0	0	0	16,000	28,000	44,000
In-house bid for the Register of Seamen and Shipping	0	0	0	0	20,000	20,000
Contracts let by Office Services	0	0	0	47,188	67,688	114,876
	0	0	0	63,188	115,688	178,876
Basis						
Quality information system	0	0	0	0	34,600	34,600
Monitoring of pavement life	0	0	0	0	28,438	28,438
Bridge maintenance system	0	0	0	0	5,288	5,288

	1989	*1990*	*1991*	*1992*	*1993*	*Total*
Payments to Basis/Mindworks (call-off contract)	**0**	**19,581**	**48,995**	**69,803**	**82,554**	**220,933**
	0	**19,581**	**48,995**	**69,803**	**150,880**	**289,259**
Theodore Goddard						
DVOIT privatisation: legal advice[1]	**0**	**0**	**0**	**61,926**	**255,828**	**317,754**
	0	**0**	**0**	**61,926**	**255,828**	**317,754**
Dibb Lupton Broomhead						
DVOIT privatisation: legal advice[1]	**0**	**0**	**0**	**0**	**227,247**	**227,247**
	0	**0**	**0**	**0**	**227,247**	**227,247**
Price Waterhouse						
Contracts let by DVLA	**0**	**0**	**25,000**	**65,000**	**66,000**	**156,000**
DVOIT privatisation[1]	**0**	**0**	**0**	**45,000**	**41,127**	**86,127**
VI privatisation: feasibility study[1]	**0**	**0**	**0**	**0**	**72,500**	**72,500**
London Buses privatisation[1]	**0**	**0**	**0**	**117,000**	**434,000**	**551,000**
Advice on the privatisation of TRL[2]	**0**	**0**	**0**	**0**	**9,230**	**9,230**
Taxation/company car advice[3]	**0**	**0**	**0**	**5,850**	**0**	**5,850**
	0	**0**	**25,000**	**232,850**	**622,857**	**880,707**
Ernst & Young						
Contracts let by DVLA	**0**	**25,000**	**65,000**	**23,000**	**0**	**113,000**
OPRAF Consultancy[2]	**0**	**0**	**0**	**0**	**170,000**	**170,000**
Railways privatisation[1]	**0**	**0**	**0**	**0**	**680,851**	**680,851**
IT strategy support	**0**	**0**	**0**	**0**	**38,545**	**38,545**
European engineering standards study[2]	**0**	**0**	**0**	**87,414**	**0**	**87,414**
Payroll costs model[2]	**0**	**0**	**0**	**106,000**	**0**	**106,000**
	0	**25,000**	**65,000**	**216,414**	**889,396**	**1,195,810**

[1] **The figures relate to the closest financial years: figures for calendar years are unavailable.**

[2] **The figures shown are the expected values of the contracts at the time they were let: no further data are available.**

[3] **The contract stretches over more than one year: these estimates assume regular monthly payments.**

Departmental Costs

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will provide a breakdown of the running costs for his Department for the financial year 1993-94 into *(a)* staffing costs, *(b)* accommodation, *(c)* consultants' fees, *(d)* IT purchases, *(e)* stationery, *(f)* works and maintenance and *(g)* other.

Mr. MacGregor: The final outturn figures of my Department's running costs for the financial year 1993-94 will be made available shortly by the accounting officer, in the appropriation accounts. Provisional expenditure for the Department's running costs, including the gross costs of executive agencies that operate on a net running cost basis —the Driving Standards Agency, the Transport Research Laboratory and the Vehicle Certification Agency—and the Vehicle Inspectorate, which is a trading fund, in the breakdown requested is as follows:

	£ million
(a) Staffing costs	290·601
(b) Accommodation	61·741
(c) Consultants' fees	6·299
(d) IT purchases	21·621
(e) Stationery	6·439
(f) Works and maintenance	5·007
(g) Other	147·496

London Underground

Dr. Wright: To ask the Secretary of State for Transport (1) under what criteria the decision was taken to reduce the trigger for redress on the London underground; and what plans there are for further reductions;

(2) how much compensation has been paid from the date that the trigger for redress on the London underground was reduced to 15 minutes; and to how many commuters it has been paid;

(3) how much compensation was paid out in refund vouchers during the period that the trigger for redress on the London underground stood at 20 minutes; and to how many commuters it was paid.

Mr. Norris: The decision to reduce the trigger for redress was taken by London Underground Ltd., with the support of the Government, in order to provide those using the network with a more effective right of redress. I understand that LUL has no current plans for further reductions.

London Underground paid out £208,283·60 in compensation in respect of 71,757 claims during the period when the trigger for redress stood at 20 minutes.

London Underground has so far paid out £274,533·70 in compensation in respect of 124,220 claims since the trigger for redress was reduced to 15 minutes.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Transport when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Norris: Paragraph 3(ii) of the code of practice requires Departments to publish or otherwise make available their guidance on dealings with the public. On 7 April 1994, the Department of Transport circulated a departmental notice to all staff, advising them that all guidance on dealings with the public—including local rules and guidelines—should be made available for public inspection in local offices. The Department therefore fulfilled its obligations under paragraph 3(ii) of the code on 7 April 1994, without any significant delay.

Piggyback Consortium

Mr. Rowe: To ask the Secretary of State for Transport when he saw the final report of the Piggyback Consortium; and what assessment he has made of it.

Mr. Freeman: I welcome this report, which the consortium presented to me on 20 April. I would like to see it take the work forward to the next stage.

Bus and Coach Safety

Mr. Dobson: To ask the Secretary of State for Transport if he will place in the Library a copy of the letter sent to him by Directorates-General VII of the European Commission regarding legislation to implement stricter safety laws for buses and coaches.

Mr. Key: I am not aware of any letter sent to my right hon. Friend by DG VII. However, I have arranged for a copy of a press notice issued by DG VII on 11 November 1993 to be placed in the Library.

Mr. Simon Coombs: To ask the Secretary of State for Transport what proposals he has to improve transport safety through the extended use of seat belts.

Mr. Key: I have to hand the report of the review of the technical and cost implications of fitting seat belts to all seats in minibuses and coaches. I hope to be able to announce the conclusions shortly.

Mr. John Marshall: To ask the Secretary of State for Transport how much will be spent by his Department on research into bus and coach safety in 1994-95; and how much has been spent so far in 1994-95.

Mr. Key: Some £360,000 has been allocated to bus and coach research in 1994-95. The projects have not yet started.

Mr. Peter Bottomley: To ask the Secretary of State for Transport what research information he has on the relative risks of coach travel in *(a)* exposed seats and *(b)* positions with a high back in front (i) with a seat belt and (ii) without a belt.

Mr. Key: There is no research permitting direct comparison of the relative risks associated with these features. However, coach and car accident data taken with seat belt research concentrated primarily on cars can tell us much about the potential benefits of belts, both lap and three-point, in coaches. There is strong evidence that ejection from coaches, particularly in roll-over accidents, accounts for a significant proportion of fatalities. Seat belts help in such accidents. Ejection cannot, however, be prevented by the use of high backed seats.

Ms Walley: To ask the Secretary of State for Transport if he will invoke article 36(A) of the treaty of Rome on the grounds of health and safety to introduce legislation requiring United Kingdom registered coaches and minibuses to be fitted with seat belts.

Mr. Key: My right hon. Friend has no plans to do so. Such vehicles can already, where appropriate, be fitted with seat belts.

Ms Walley: To ask the Secretary of State for Transport (1) when he expects to complete his Department's inquiry into the fitting of seat belts in coaches and minibuses; and if he will make a statement;

(2) when he expects to announce the conclusions of the inquiry into the cost and technical aspects of fitting seat belts to coaches and minibuses; and if he will make a statement.

Mr. Key: My right hon. Friend now has the report to hand and hopes to be able to make an announcement shortly.

Railway Pensions

Mr. Bayley: To ask the Secretary of State for Transport in what circumstances a railway employee transferring from one company to another, but remaining in membership of the railway pension scheme, would receive pension benefits that are less favourable than would have been accrued prior to railway privatisation.

Mr. Freeman: Where the transfer is compulsory, the employee's pension benefits will be protected in full. We have agreed that where an employee who has the right under article 11 of the Railway Pensions (Protection and Designation of Schemes) Order 1994 to remain in the railways pension scheme moves voluntarily to another section within the scheme, there will be automatic credit of the same number of "pension years" provided that his pensionable salary is not increased on transfer by more than 7·5 per cent. A greater figure may be agreed between the trustees and the new employer, and in normal circumstances we would expect them to be able to increase this to around 10 per cent. The new employer may pay into the scheme to augment his benefits. In the few other cases, there may be a credit of fewer years, but this will depend on individual circumstances.

Spain-Morocco Ferry Service

Mr. Ottaway: To ask the Secretary of State for Transport, pursuant to his answer of 23 May, *Official Report,* column *55,* if he will make a statement on the timetable for the infraction proceedings.

Mr. Norris: The timetable for infraction proceedings is a matter for the European Commission. We understand that the Commission intends to issue an article 169 letter to Spain in this case shortly.

Rail Season Tickets (Extension)

Dr. Wright: To ask the Secretary of State for Transport from what date British Rail adopted the policy of offering an extension to season tickets in recognition of periods when there was no effective service; and what has been the cost of this policy to date.

Mr. Freeman: British Rail introduced season ticket extensions more than 20 years ago. The cost of this policy is not separately identified by British Rail.

Dr. Wright: To ask the Secretary of State for Transport under what circumstances other than the absence of an effective service during periods of strike action British Rail would extend a season ticket.

Mr. Freeman: British Rail will extend the validity of season tickets for days when it is unable to offer an effective train service or offer an alternative service.

Anti-fouling Paint

Mr. Cousins: To ask the Secretary of State for Transport (1) what present view he has of the performance advantages of TBT coatings over tin-free coatings for anti-fouling paint on ships; and if he will place the technical justification for that view in the Library;

(2) what expenditures were incurred on the investigation of anti-fouling paints carried out for the International Maritime Organisation.

Mr. Norris: Research funded by the Department's Marine Safety Agency into the use of triorganotin compounds in anti-fouling paints indicates that the performance gap between TBT-based and modern tin-free coatings has narrowed. A copy of the research report "Critical Review of Current and Future Marine Antifouling Coatings" by Lloyd's Register Engineering Services will be placed in the Library. The cost of this research was £21,362.

Ports

Ms Walley: To ask the Secretary of State for Transport what proposals he has in respect of port policy; and if he will make a statement.

Mr. Norris: The United Kingdom Government's policies for our commercial ports over the past decade and more have reflected our broad policies to promote the encouragement of choice and competition, to allow transport to operate as far as possible in an unrestricted market, with intervention limited to areas such as safety and environmental issues. These policies will be continued.

The Government's ports strategy has enabled the United Kingdom ports industry to take full advantage of commercial opportunities, improvements in productivity and efficiency, and be in the forefront of technological progress. Privatisation has achieved major benefits in terms of reduced costs, increased productivity and improved service to the consumer and the user.

I have every confidence that our policies will provide the basis for further successful development of the ports industry; in particular, the Government believe that the future of a number of the remaining trust ports should be within the private sector.

Newly Qualified Drivers

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Transport what steps he is taking to discourage dangerous driving by newly qualified drivers.

Mr. Key: We are taking forward the measures announced by my right hon. Friend on 9 February, *Official Report*, columns 270-71. We are developing road safety education material for the 16-plus age group in schools and colleges, a scheme for post-test driver training linked to lower insurance premiums, and a separate theory element to be included in the driving test from 1996; and are considering the introduction of a scheme requiring newly qualified drivers to retake the driving test if they commit serious traffic offences.

Maritime and Waterway Research and Development

Ms Walley: To ask the Secretary of State for Transport (1) if he will take action to press the EU Council Advisory Committee—CREST—to maintain the current balance of funding for research and development towards maritime transport and inland waterways; and if he will make a statement;

(2) if he will take action to press the European Commission to resist the separation of maritime transport and inland waterway-related research and development.

Mr. Norris: Whereas annex I to the European Commission's specific proposal for transport research in the fourth framework programme for research and technological development 1994-98 distinguishes research on inland waterway transport from that on maritime transport, the allocation of funds suggested in annex II of the proposal combines the two. I am content with this approach. Of the six modal sub-themes in part B of the proposal, the Commission suggests that maritime and inland waterway research should be given the biggest allocation of funds. The United Kingdom Government's view is that the most severe problems, of congestion and safety, are in the road and air transport sectors, for which the suggested allocations should be increased. Given that the total funding for the transport research programme is fixed, these changes can be made only if compensating decreases are accepted in other sub-themes. I do not therefore propose to press CREST to maintain the Commission's suggested level of funding for maritime and inland waterway research.

London Underground (Power Failure)

Dr. Wright: To ask the Secretary of State for Transport (1) how much compensation has been paid out by London Underground to commuters for the delays incurred as a result of the power failure on the Central line in November 1993;

(2) what was the overall cost of remedying the cause of the power failure on the Central line of the London Underground in November 1993.

Mr. Norris: London Underground estimates that the total cost which it has incurred as a result of November's power failure has been around £1,723,000. This figure includes the effect of the failure on ticket sales, and the cost of providing emergency bus services, as well as the direct engineering costs of putting right the fault. It also incorporates approximately £193,000 of claims paid out under the terms of London Underground's customer charter.

Ministry of Defence Airfield, Northolt

Mr. Harry Greenway: To ask the Secretary of State for Transport what plans he has to develop business aviation at the Ministry of Defence airfield at Northolt; and if he will make a statement.

Mr. Norris: My Department and the Ministry of Defence will go out to consultation soon with industry on the way in which the private sector could be involved in making better use of the existing capacity for civil operations at RAF Northolt.

A35

Mr. Ian Bruce: To ask the Secretary of State for Transport if he will make a statement on his plans to build the Puddletown and Tolpuddle bypass on the A35.

Mr. Key: The Tolpuddle and Puddletown bypass is on a reserve list of schemes to be started this financial year if sufficient funds become available.

Trunk Road Assessment Report

Sir Michael Grylls: To ask the Secretary of State for Transport when he intends to publish the Standing Advisory Committee on Trunk Road Assessment report and his response to that report; and if he will place copies of the report in the Library.

Mr. Key: I refer my hon. Friend to the responses that I gave to my hon. Friend the Member for Dartford (Mr. Dunn) and the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 20 May 1994, *Official Report,* columns *596* and *599.*

On publication, the report and the Government's response will be placed in the Library.

Fennell Report

Mrs. Roche: To ask the Secretary of State for Transport when he last met *(a)* Her Majesty's railway inspectorate and *(b)* London Underground to discuss progress in implementing the outstanding recommendations of the Fennell report into the King's Cross fire.

Mr. Norris: My right hon. Friend has regular meetings with London Underground and Her Majesty's railways inspectorate to discuss a variety of issues. In addition, he receives annual progress reports from London Transport on the implementation of the Fennell report's recommendations.

Mrs. Roche: To ask the Secretary of State for Transport, pursuant to his answer of 23 May, *Official Report,* column *59,* what assessment he has been given by London Underground and Her Majesty's railways inspectorate of when each recommendation of the Fennell report will be implemented.

Mr. Norris: The time scale for completing implementation of the 10 remaining recommendations of the Fennell report remains under discussion between HM railways inspectorate and London Underground. Dates for completion of implementation have still to be determined.

Ms Glenda Jackson: To ask the Secretary of State for Transport, pursuant to his answer of 23 May, *Official Report,* column *59,* which recommendation of the Fennell report was not accepted by London Underground Ltd.; and by what other means it has been completed.

Mr. Norris: The recommendation in question was No. 117 which suggested that junior station staff be provided with paging equipment as an alternative to personal radios. London Transport felt this recommendation to be unnecessary as they had already accepted recommendation 116, which required the issue of radios to station staff, and were committed to providing all underground station staff with personal radios. This has now been done.

Driver and Vehicle Licensing Agency

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will give for the last financial year *(a)* the target and *(b)* the actual outturn for the Driver and Vehicle Licensing Agency's vehicle excise duty enforcement.

Mr. Key: The target set for successfully completed VED enforcement cases in 1993-94 was initially £445,000 —later increased to £455,000. The outturn for the year was 455,420 cases.

Mrs. Dunwoody: To ask the Secretary of State for Transport what has been the total cost to public funds to date of the DVLA vehicle registration office review; and what is the total budget for the review.

Mr. Key: Some £106,000—VAT-inclusive—against a total budget of £115,000—VAT-inclusive.

Mrs. Dunwoody: To ask the Secretary of State for Transport for what reasons the Association of Chief Police Officers was asked to meet the consultants carrying out the DVLA and VRO review.

Mr. Key: As part of their work, the consultants were asked to recognise and balance the interests and requirements of various and separate VRO customer groups. Accordingly, the consultants met representatives of ACPO and a number of other organisations during the course of the review.

Mrs. Dunwoody: To ask the Secretary of State for Transport what was the revenue raised by the Driver and Vehicle Licensing Agency owing to induced re-licensing.

Mr. Key: We estimate that in 1991-92, some 115,000 evaders or would-be evaders were encouraged to relicense their vehicles as a direct result of vehicle excise duty enforcement activity, realising some £8·4 million in revenue which would not otherwise have been collected. In 1993-94, following the introduction of the red windscreen warning notice scheme, some 345,000 motorists were encouraged to relicense with revenue recovery of around £28 million.

Mrs. Dunwoody: To ask the Secretary of State for Transport in what circumstances vehicle excise offence reports may be discarded.

Mr. Key: The main reason for not proceeding with vehicle excise duty offence reports is that checks of the DVLA vehicle register reveal that the vehicles are in fact licensed and no offence has been committed. Other cases are not completed because of defects in offence reports, more than one report being received for the same offence, problems in tracking down offenders, difficulties in serving summonses and availability of resources.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list by each "no further steps" code the number of vehicle excise offence reports that the DVLA closed in the last financial year.

Mr. Key: The information is as follows:

	Number
NFS 1-8 (see note)	492,000
NFS 9 (arrears of duty paid)	5,563
NFS 10 (case returned unheard by court)	7,927
NFS 11 (induced relicensing brought about by excise offence report or out of court settlement)	130,000
NFS 12 (induced relicensing brought about by windscreen warning notices)	2,897

Note:

CODE 1	Unable to trace offender.
CODE 2	No Offence, e.g., vehicle not on public road.
CODE 3	Summons not served.
CODE 4	Unable to interview/establish responsibility for vehicle.
CODE 5	Prosecution discontinued by Crown Prosecution/Police.
CODE 6	Specified difficulties, e.g., keeper deceased, bankruptcy.
CODE 7	Out of time.
CODE 8	Unactioned, e.g., information on Excise Offence Report insufficient/incorrect.

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what assessment he has made of the success of the automatic first registration and licensing user acceptance run by the DVLA;

(2) what measures the DVLA intends to take to prevent fraud or misuse during the automated first registration and licensing trial in Bristol;

(3) if he will make a statement on the negotiations between the DVLA, motor car manufacturers and dealers over the introduction of automatic first registration and licensing;

(4) what security measures are in place for dealers or manufacturers taking part in the automated first registration and licensing trial run by the DVLA to protect the vehicle excise duty discs;

(5) what is the start date for the automatic first registration and licensing pilot; how many dealers and manufacturers are involved in the trial; what is the length of the trial; and what is the estimated number of transactions the dealers and manufacturers will handle during the trial period;

(6) which dealers have withdrawn from the automatic first registration and licensing pilot being run by the DVLA; and if he will make a statement;

(7) which registration year the dealers and manufacturers taking part in the automated first registration and licensing pilot scheme run by the DVLA will use;

(8) what was the original date of the automatic first registration and licensing user acceptance trial carried out by the DVLA; what is now the start date; and what are the reasons for the discrepancy;

(9) what sanctions are available to the DVLA against dealers refusing to sign up to the automatic first registration and licensing scheme when it goes live across the country.

Mr. Key: It was hoped that the first phase of the automated first registration and licensing scheme could have begun on 23 May. Unfortunately, user acceptance trials prior to that showed that more work needed doing on the computer programs, and the start date is now scheduled for 11 July, currently with the originally designated dealerships. Vehicles registered under the AFRL scheme will be allocated registration marks for the appropriate year.

Participation by dealers and manufacturers in automated first registration and licensing is voluntary, but I am confident that they will find the scheme offers a number of advantages. The Society of Motor Manufacturers and Traders and the Retail Motor Industry Federation with which we have negotiated and co-operated throughout the scheme are confident of a high take-up rate. Two manufacturers are expected to take part in the initial phase, which will cover three months, but others may join either in this or the one to take place in the autumn. I expect 2,000 vehicles to be registered by computer over the three months. Vehicle excise discs will be kept in a secure environment as required of all of our current licensing agents.

Mrs. Dunwoody: To ask the Secretary of State for Transport what information on the owners of vehicles the DVLA gave to community charge collectors in Scotland in 1993-94; who was responsible for releasing this information; and what action is being taken.

Mr. Robert Key: Under the Vehicle Excise and Registration Bill the Secretary of State can release the names and addresses of vehicle keepers to local authorities to assist in the investigation of an offence or where "reasonable cause" can be shown. The pursuit of unpaid debts by community charge collectors is covered by both these provisions and the information is accordingly released to local authorities by the Driver and Vehicle Licensing Agency.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the vehicle registration offices which have disabled access; and if he will make a statement.

Mr. Key: The vehicle registration offices on the list provide disabled access to their customer service areas:

Vehicle Registration Offices with Access to Disabled Customers

Aberdeen, Bangor, Birmingham, Bournemouth, Brighton, Bristol, Cardiff, Carlisle, Chelmsford, Chester, Croydon, Dundee, Edinburgh, Gloucester, Huddersfield, Hull, Ilford, Inverness, Ipswich, Leicester, Lincoln, Liverpool, Luton, Maidstone, Manchester, Middlesbrough, Newcastle, Northampton, Nottingham, Oxford, Portsmouth, Preston, Reading, Stanmore, Stoke, Swansea, Swindon, Taunton, Truro.

Where access is not available into Vehicle Registration Offices, alternative arrangements are normally made (eg a bell is available in another part of the building to call for a member of staff to attend the customer). All offices will fully assist disabled customers.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list for the last financial year the number of excise offences reported to the Vehicle Registration Office network in the DVLA, the numbers processed and the money received by *(a)* out-of-court settlements and *(b)* successful prosecutions.

Mr. Key: The information requested is as follows:

	Number
Number of excise offences reported	1,891,000
Number of cases processed	1,631,000

	£ million
Revenue from out of court settlements	12·3
Revenue from prosecutions (fines, costs, unpaid duty (S.9 Vehicles Excise Act 1971))	33·5

Mrs. Dunwoody: To ask the Secretary of State for Transport who will decide whether to impose sanctions on a dealer misusing the automatic first registration and licensing system.

Mr. Key: Depending on the circumstances, either DVLA or the manufacturer.

Jubilee Line

Ms Gordon: To ask the Secretary of State for Transport how many jobs will be created by the construction of the Jubilee line extension; what measures are being taken to ensure that the residents of Newham, Tower Hamlets, Southwark and Greenwich are employed in them; what estimate he has made as to the proportion of those jobs will be taken up by the residents in those boroughs; and how this is being monitored.

Mr. Norris: I understand from London Underground Ltd. that it is estimated that some 22,000 jobs will be created by the construction of the Jubilee line extension, about one third of which will be in the London area. LUL has asked its contractors to ensure that local people are made aware of the employment opportunities and that people trained under local construction training schemes are employed where possible. LUL is monitoring the position with its contractors.

Ex-officials (Road Construction Companies)

Mr. Chris Smith: To ask the Secretary of State for Transport how many officials at grade 7 or above who have left his Department in the past five years now occupy management positions in any of the companies holding contracts for the construction of roads or which are significant suppliers to them.

Mr. Norris: This information is not held within the Department and could be obtained only at disproportionate cost.

Ship's Officers

Ms Walley: To ask the Secretary of State for Transport what representations he has received concerning his proposals to remove officer nationality requirements for senior officers on vessels registered in the United Kingdom; and if he will make a statement.

Mr. Norris: There have been 50 responses to the consultation document setting out these proposals.

Air Traffic

Mr. Mans: To ask the Secretary of State for Transport what is the United Kingdom airlines' latest projection of the proportion of full-day peak and morning peak-time slots scheduled for a typical mid-August 1994 week at Heathrow and Gatwick as a proportion of total slots available for both periods.

Mr. Norris: This information is not held by the Department because slot allocation at those airports is carried out by an independent co-ordinator employed by the airport operator. I understand that of the total summer season slots allocated by the start of the season, approximately 54 per cent. at Heathrow and 70 per cent. at Gatwick had been allocated to United Kingdom airlines.

A41

Mr. Lidington: To ask the Secretary of State for Transport what is his Department's latest estimate of average daily traffic flows and average peak hour traffic flows on the A41 at Aston Clinton.

Mr. Key: Average weekday traffic flows on A41 through Aston Clinton in early May were 24,000 vehicles per day—16-hour. Maximum peak hour flows during the week are between 1,000 to 1,200 vehicles per hour in each direction.

Mr. Lidington: To ask the Secretary of State for Transport if he will make a statement on progress made and the timetable for the remaining planning stages of the A41 Aston Clinton bypass.

Mr. Key: We are making arrangements for a public inquiry to be held this year but at the same time pursuing withdrawal of the remaining objections to the supplementary orders. If successful we may not need a public inquiry. Progress beyond a public inquiry is uncertain and will depend upon its outcome and the availability of resources at the time.

Highways Agency

Mrs. Dunwoody: To ask the Secretary of State for Transport which private sector organisation has been approached formally or informally by officials of his Department or Agencies on the potential for privatisation, market testing or contracting out of the Highways Agency.

Mr. Key: None.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Transport in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Norris: In the Department of Transport, practice when issuing consultation documents has varied in the past. In future, however, the Department will inform those consulted that their responses might be made public unless they explicitly ask for them to be kept confidential.

Departmental Running Costs

Mrs. Dunwoody: To ask the Secretary of State for Transport when he decided to cut the running costs of his Department by 20 per cent.; when the embargo on announcing the decision was lifted; and who took the decision to impose the embargo.

Mr. MacGregor: My Department's running costs have not been cut. I have set it a requirement to make a 20 per cent. improvement in efficiency with the target of achieving it in the two years from 1 April 1994 to 1 April 1996. The requirement was announced on 9 May. By convention, the announcement was not made in the period immediately preceding the local government elections on 5 May.

British Rail Staff (Assaults)

Mr. Pickthall: To ask the Secretary of State for Transport what information he has about the number of assaults on British Rail staff *(a)* in 1993 and *(b)* to date in 1994.

Mr. Freeman: The table shows the total number of reported assaults on British Rail staff during 1993 and the first four months of 1994.

Offence	*1993*	*[1]1994*
Attempted murder	2	0
Grievous bodily harm	19	4
Wounding	20	7
Actual bodily harm	356	102
Common assault	168	61
Others	14	4
Total	579	178

[1] 1 January to 30 April.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Transport how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Norris: The rules on outside appointments do not require Departments to maintain records of job offers made to their staff. I regret that I cannot therefore provide the information requested.

M40

Mr. Walden: To ask the Secretary of State for Transport what is the strategic context in which the Highways Agency review of a road linking the M40 near Oxford and the A5 near Leighton Buzzard is being placed.

Mr. Key: When my right hon. Friend the Secretary of State for Transport announced the outcome of the roads review it was made clear that the east-west route between the M40 and the M11 would be withdrawn. The strategic study of traffic needs in a corridor from the M40 to the A5 which was announced in January was confirmed. The Department is responsible for the strategic trunk road network and the study is in that context. The scope for the study has not yet been decided.

Delivery of the road programme is for the Highways Agency.

Disabled People

Mr. Alan Howarth: To ask the Secretary of State for Transport what is the Government's policy on the European Commission's proposed directive on the introduction of measures aimed at promoting improvements in the travel conditions of workers with motor disabilities.

Mr. Freeman: The Government position is set out in the explanatory memoranda of 17 April and 3 June 1991, which relate to the original proposal—4315/91 COM(90) 588 FINAL—and of 16 October 1991 on the amended proposal—4113/92 COM(91) 539 FINAL. Copies of those documents have been placed in the Library.

Mr. Etherington: To ask the Secretary of State for Transport (1) how many people have had their vehicle excise duty exemption on disabled persons' vehicles cancelled due to improper use for each year since 1989;

(2) what was the total number and percentage of claims for VED exemption which have been refused an exemption certificate for each year since 1989;

(3) what was the total number of VED discs issued to disabled persons in (i) the 1976 scheme, (ii) Motability component and (iii) passengers getting disability living allowance or pre-attendance allowance for each year since 1989;

(4) if he will give the number of people successfully prosecuted for the improper use of VED exemptions on disabled persons' vehicles for each year since 1989.

Mr. Robert Key: No record is maintained for the number of disabled people with an entitlement to exemption from VED which is cancelled because of improper use or the number of prosecutions carried out because of improper use of a vehicle exempted under the provision. In both instances, however, the number is likely to be very small. No statistics are available on the number of unsuccessful applications for certificates of exemption from VED.

The total number of vehicles licensed under the disabled exemption was 320,000 in 1989, 380,000 in 1990, 420,000 in 1991, 470,000 in 1992 and 560,000 in 1993. There is no breakdown of these by category.

Ex-officials (Road Construction Companies)

Mr. Chris Smith: To ask the Secretary of State for Transport how many officials at grade 7 or above who have left his Department in the past five years now hold directorships in any companies holding contracts for the construction of roads or which are significant suppliers to them.

Mr. Norris: This information is not held within the Department, and could be obtained only at disproportionate cost.

Departmental Staff

Mrs. Dunwoody: To ask the Secretary of State for Transport if the Department will carry out full consultations with the unions over staff surpluses in line with section 34 of the Trade Union Reform and Employment Rights Act 1993.

Mr. Norris: If a potential redundancy situation occurs, full consultation with the trade unions will take place, in line with the provisions of section 34 of the Trade Union Reform and Employment Rights Act 1993.

DEFENCE

RAF Personnel (Hearing Problems)

Mrs. Fyfe: To ask the Secretary of State for Defence what records he has of loss of hearing experienced by Royal Air Force personnel working in the vicinity of *(a)* four-engined Vulcan bombers and *(b)* other aircraft which are landing or taking off; and what steps were taken (i) in 1964 onwards and (ii) currently to prevent any such hearing loss.

Mr. Hanley: Although general medical statistics relating to noise-induced hearing loss among Royal Air Force personnel have been maintained since 1979, it is not possible to identify from these the source of the noise exposure responsible. Central records are not held of personnel who have experienced loss of hearing from working in the vicinity of Vulcan Bombers or other aircraft.

Where there is a risk of noise induced hearing loss, the RAF has for many years made provision to prevent such loss by reducing the noise at source or by providing a barrier between source and receiver, such as hearing protectors, and by limiting exposure. A formal hearing conservation programme was introduced in 1970, and current service regulations are based on the Noise at Work Regulations 1989.

Commonwealth War Graves Commission

Mrs. Roche: To ask the Secretary of State for Defence when he next plans to meet members of the Commonwealth War Graves Commission to discuss cuts to funding.

Mr. Hanley: My right hon. and learned Friend the Secretary of State for Defence met representatives of the Commonwealth War Graves Commission on 21 February 1994 to discuss and agree our contribution to the Commission's budget for 1994-95. There are no plans for further meetings to discuss this year's funding.

Commission staff would normally advise member nations of their funding requirement for 1995-96 in October. This will then be discussed by the commission's finance committee, on which my Department is represented.

Minx Programme

Mr. Keith Hill: To ask the Secretary of State for Defence what is the current stage of development of the Minx programme; and which companies are involved in it.

Mr. Aitken: No development of Minx is currently being undertaken.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Defence if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Hanley: The information requested is not held centrally and could be provided only at disproportionate cost.

Ballistic Missile Defence

Mr. Llew Smith: To ask the Secretary of State for Defence how many tenders his Department received in response to the invitation issued in March for a pre-feasibility study contract on ballistic missile defence; and when he expects to announce the award of the contract.

Mr. Aitken: Responses to the invitation to tender are not due until the end of this month. We expect to be able to announce the award of contract this autumn.

NATO (Counter-proliferation)

Mr. Llew Smith: To ask the Secretary of State for Defence what matters in regard to counter-proliferation strategies for the alliance were discussed at the NATO ministerial meeting held in Brussels on 24 and 25 May.

Mr. Hanley: I refer the hon. Member to the communiqué published following the ministerial meeting of the NATO defence planning committee. An overall policy framework for NATO's approach to proliferation was also released following a meeting of the North Atlantic council on 9 May. Copies of both documents will be placed in the Library of the House.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Defence when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Hanley: My Department's internal guidance on the implementation of the code of practice has been freely available since 4 April, and may be obtained by either writing to my Department or telephoning the Ministry of Defence public inquiry office on 071-218-6645. I am also placing a copy in the Library of the House.

RAF Instructors

Sir Nicholas Bonsor: To ask the Secretary of State for Defence what is the total Royal Air Force complement for *(a)* qualified flying instructors, *(b)* weapons instructors and *(c)* other aircrew instructors (i) at operational conversion units, (ii) on operational squadrons and (iii) elsewhere.

Mr. Hanley: As at 27 May 1994 the total number of Royal Air Force aircrew instructor posts was as follows:

	Operational conversion units	*Operational squadrons*	*Elsewhere*	*Total*
Qualified flying instructors	87	49	371	507
Qualified weapons instructors	39	39	37	115
Other aircrew instructors	224	37	162	423

Defence Costs Study

Sir Nicholas Bonsor: To ask the Secretary of State for Defence if he will set out the name and rank of Treasury officials on each of the defence costs study working groups on which the Treasury was represented; and what are the numbers of visits paid and formal meetings held by those teams.

Mr. Aitken: The Treasury has been represented on each of the 33 defence costs study teams. Treasury personnel involved, their rank and studies—as listed at pages 78 and 79 of the Statement on the Defence Estimates, 1994—with which they were associated are as follows: Mr. P. Brook, grade 7—security; Ms V. Carpenter, SEO—estate and property; Mr. M. Davis, SEO—non-operational information systems; Mr. R. Devereux, grade 5—Procurement Executive—projects and practices; Procurement Executive —organisation and function; naval infrastructure; training; Mr. M. Donnelly, grade 5—market testing/contracting out; training; Navy management structure and manning; Army management structure and manning; RAF management, structure and manning; defence intelligence and minor studies; Mr. L. Palmer, grade 7—MOD police; research and development; Miss A. Perkins, grade 3—MOD head office; HQs, service command and TLB structure; repair, spares, storage and distribution; Ms H. Tierney, grade 7 —financial management; and Mr. P. White, grade 7—recruiting and manning; medical. There is no central record of all the visits paid and meetings held by the defence costs study teams and such information could be gathered only at disproportionate cost.

Ms Rachel Squire: To ask the Secretary of State for Defence if he will publish the costings of options examined by the defence costs study prior to any recommendations being made.

Mr. Aitken: The proposals emerging from the work of the defence costs study, the broad outcome of which I hope to announce in July, will be subject to consultation in the normal manner. That consultation process will be supported by the publication of all relevant cost information.

Military Rescue Co-ordination

Ms Rachel Squire: To ask the Secretary of State for Defence if he will make a statement on the future organisation of military rescue co-ordination.

Mr. Hanley: Detailed internal work continues on the implementation of our plans to locate the single military rescue co-ordination centre at Pitreavie. The defence costs study is, however, looking at all support functions and defence sites across the country, including this one.

Forth Area (Defence Facilities)

Ms Rachel Squire: To ask the Secretary of State for Defence if he will make a statement on the future of the defence facilities in the Forth area.

Mr. Aitken: Defence facilities in all parts of the country have been examined in the defence costs study. We plan to make an announcement on the outcome in July. However, I envisage a continuing role for defence facilities in the Forth area.

Service Redundancies

Mr. Spellar: To ask the Secretary of State for Defence what has been the total cost of redundancy packages for service personnel in each of the last three years.

Mr. Hanley: The current redundancy programme began in the financial year 1992-93. In that year, redundancy payments of £232 million were made, followed by payments of £509 million in the financial year 1993-94.

These payments include special capital payments, and early payment of terminal grants, commuted pension payments and the first year's payment of immediate pensions.

Arms Exports (Jordan)

Mr. Cousins: To ask the Secretary of State for Defence on what date the expenditure ceiling contained in the memorandum of understanding agreement signed with Jordan on 28 November 1979 was reached; and how these matters were reported to Parliament.

Mr. Aitken: It is not our normal practice to provide details of specific MOUs.

PRB (Belgium)

Mr. Cousins: To ask the Secretary of State for Defence if Royal Ordnance acted as a supplier, whether directly or through a Government defence export agency, to PRB of Belgium in the period from January 1981 to January 1985.

Mr. Aitken: It has been the established practice of successive Governments not to release information about individual defence exports.

Mr. Cousins: To ask the Secretary of State for Defence what PRB of Belgium supplied to *(a)* International Military Services Ltd. and *(b)* its subsidiaries.

Mr. Aitken: This is a matter for the company.

Defence Exports

Mr. Cousins: To ask the Secretary of State for Defence at what date, and for which category of export, or for which destination, Royal Ordnance, Defence Export Services Organisation, and companies and agencies linked to the MOD, had Crown status, or were exempt from export licence controls.

Mr. Aitken: All exports made by the Crown have Crown status. These are exports from any Government Department including exports through or by the sales supply organisation of the Defence Export Services

Organisation. Where Royal Ordnance exports were not conducted through the sales supply organisation, they required an export licence.

Exports with Crown status are subject to the same foreign and defence policy considerations as those requiring an export licence. It is not Government policy to provide specific details of defence exports.

Mr. Cousins: To ask the Secretary of State for Defence what was the total value of sales made by Royal Ordnance directly through the defence exports sales supply division of his Department between January 1981 and January 1985.

Mr. Aitken: This information could be provided only at disproportionate cost.

International Military Services Ltd.

Mr. Cousins: To ask the Secretary of State for Defence who is the legal custodian of the books and records of International Military Services Ltd., its subsidiaries and former subsidiaries; and whether the advice of the Treasury solicitors has been sought or offered on this point.

Mr. Aitken: International Military Services Ltd. is the legal custodian of its books and records, which it keeps in accordance with company law. I am not aware of any advice on this point from the Treasury solicitor.

Yugoslavia (New Zealand Troops)

Sir Nicholas Bonsor: To ask the Secretary of State for Defence if he will make a statement on the training, command and control, logistic support and financial arrangements for the New Zealand company group to be deployed with British forces in the former Yugoslavia.

Mr. Hanley: The New Zealand Government authorised last month the deployment of a company group in support of UNPROFOR. We welcome this and have agreed that the company group should be attached to one of the British Army battalions serving in Bosnia-Herzegovina. We are still discussing with the New Zealand Government the details of the attachment and the level of assistance which will be provided to their contingent.

Exercise First Crusade

Sir Nicholas Bonsor: To ask the Secretary of State for Defence, pursuant to his answer of 24 May, *Official Report*, column *108*, how many squadrons of 1 Royal Tank Regiment participated in Exercise First Crusade.

Mr. Hanley: Three Sabre squadrons plus the HQ squadron of 1 Royal Tank Regiment took part in Exercise First Crusade.

Mr. Stephan Kock

Mr. Cousins: To ask the Secretary of State for Defence what contact (a) Defence Exports Services Organisation and *(b)* the Malaysian project office had with Mr. Stephan Adolphus Kock concerning defence sales to Malaysia during the period 1985 to 1990.

Mr. Aitken: My Department has no record of any specific contact between the DESO or the MPO and Stephan Kock during the period.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Defence how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Aitken: Arrangements to record centrally all offers of outside employment to MOD Crown servants were put in place only from February 1992. Since that date, no such offers have been reported.

Swan Hunter

Dr. Hampson: To ask the Secretary of State for Defence, pursuant to his answer of 30 March, *Official Report*, column *996*, what has been the result of his inquiries in relation to a bid for Swan Hunter; and what assessment he has made of business links between Triacorp International and Mr. Barzan al Takriti.

Mr. Aitken: Information provided to my Department by CMN is being routinely assessed. These matters are commercially confidential to the company concerned, but one of the main considerations will be the ability of Swan Hunter and its prospective purchasers to satisfy our stated requirements in their bid responses in competitions for MOD work.

If my hon. Friend has any information which he believes would be of help to my Department in making its assessment, I should be grateful if he would pass it to me.

RAF Molesworth

Mr. Madden: To ask the Secretary of State for Defence when was the last inspection made at National Security Agency, Molesworth under the terms of the intermediate nuclear forces treaty; when the last arrest was made at RAF Molesworth under the base byelaws; and how many breaches of security there have been at RAF Molesworth over the last 18 months.

Mr. Hanley: The last inspection at RAF Molesworth under the terms of the INF treaty was in December 1992. There have been no arrests under the byelaws at RAF Molesworth since 1990. The Ministry of Defence police have attended 12 security incidents at Molesworth in the last 18 months.

Mr. Madden: To ask the Secretary of State for Defence what is the role of the National Security Agency of America in the management of the joint analysis centre at Molesworth; how much the expansion of the joint analysis centre at Molesworth has cost and who has paid for this; if the hazardous waste stored at National Security Agency, Molesworth is from American bases in the United Kingdom; and if there are polychlorine benzines stored at this facility.

Mr. Hanley: The joint analysis centre at RAF Molesworth is operated by the United States European Command. No expansion of the JAC has been undertaken.

The cost of all works associated with the construction of this facility has been borne by the United States Government. The Defense Reutilisation and Marketing Organization is responsible for the resale or disposal of all United States Government property in the United Kingdom which is surplus to requirements. It operates a central collection facility at RAF Molesworth for the temporary storage of hazardous material. All electrical equipment received by the DRMO is tested for polychlorinated biphenyls. If they are found in concentrations exceeding legal limits, the material is disposed of through approved United Kingdom contractors.

Mr. Madden: To ask the Secretary of State for Defence for what reasons the byelaw relating to RAF Molesworth are not used against intruders; what instructions have been issued to Ministry of Defence Police on arresting under RAF Molesworth byelaws or other similar byelaws; and if he will make a statement.

Mr. Hanley: How MOD police deal with intruders will depend on the nature of the incident. Normally, the MDP will first ask those concerned to leave MOD property. Anyone who refuses to do so will be escorted from the property using the minimum force necessary to effect their removal. Where appropriate, offenders may be arrested and reported for breach of byelaws. If other offences are committed, such as criminal damage, the MDP make arrests accordingly.

Ms Lindis Percy

Mr. Madden: To ask the Secretary of State for Defence who authorised the arrest and detention of Ms Lindis Percy, of Bradford, when she entered RAF Chicksands in Bedfordshire on Thursday 19 May; who authorised her detention under the Prevention of Terrorism Acts; who summoned the Bedfordshire police to attend; who authorised the release of Ms Percy without charge; how long she was held in detention; how many British and American personnel concerned in her arrest and detention were armed; and if he will make a statement.

Mr. Hanley: I will write to the hon. Member.

Menwith Hill Station

Mr. Madden: To ask the Secretary of State for Defence what arrangements, in addition to the agreement regarding the status of forces of parties to the North Atlantic treaty of 1951, have been made between Her Majesty's Government and the United States of America concerning Menwith Hill station.

Mr. Hanley: The site at Menwith Hill has been made available to the United States visiting forces and their civilian component in accordance with the agreement regarding the status of forces of parties to the North Atlantic treaty of 1951 and other arrangements appropriate to the relationship which exists between the United Kingdom and United States for the purposes of our common defence. It is not our practice to comment on the detail of such agreements.

Mr. Madden: To ask the Secretary of State for Defence what is the role of the National Security Agency of America in running Menwith Hill station in North Yorkshire; how many people working at Menwith Hill station are employed by the NSA, and who employs the chief of Menwith Hill station.

Mr. Hanley: I refer the hon. Member to the Adjournment debate of 25 March 1994 concerning Menwith Hill station, North Yorkshire, *Official Report*, columns 609-16.

Mr. Madden: To ask the Secretary of State for Defence how many GCHQ staff are employed at Menwith Hill station.

Mr. Hanley: There is a significant GCHQ presence at Menwith Hill station. It is not Government policy, however, to give more detailed information on the deployment of GCHQ staff.

RAF Chicksands

Mr. Madden: To ask the Secretary of State for Defence when RAF Chicksands is due to close; what are the main activities undertaken at the base; and where those activities are to be transferred.

Mr. Hanley: The US air force will leave RAF Chicksands by the end of September 1995. RAF Chicksands is a US Department of Defence communications centre managed by the United States air force. It is not our policy to comment in further detail on operational matters.

Officers (Cooks)

Mr. Mullin: To ask the Secretary of State for Defence how many serving officers in each service are entitled to the provision of cooks at public expense.

Mr. Hanley: The current number of posts for serving officers, where there is an entitlement for the provision of a cook at public expense, is as follows:

	Number
Royal Navy/Royal Marines	56
Army	33
Royal Air Force	26

Royal Yacht

Mr. Barry Field: To ask the Secretary of State for Defence (1) what assessment he has made of the reduction in the ship's complement on Her Majesty's royal yacht Britannia that could result from refitting with modern engines;

(2) what are the estimated annual cost savings if Her Majesty's royal yacht Britannia is re-engined.

Mr. Hanley: If Her Majesty's yacht Britannia were to be re-engined, it would be necessary also to replace or refurbish other obsolescent equipments and systems. This could possibly save up to £2 million per annum in running costs, including a reduction in the ship's complement of around 75 posts. The capital costs of such work is, however, likely to be substantial.

Mr. Barry Field: To ask the Secretary of State for Defence what part Her Majesty's royal yacht Britannia will be playing in the D-day commemorations; and what alternative vessels have been designated in the event of non-operational availability.

Mr. Hanley: Her Majesty's yacht Britannia played a central part in the maritime events in the Solent and channel on Sunday 5 June. This included carrying members of the royal family and visiting Heads of State in a review of ships at anchor off Spithead, leading a wreath-laying ceremony in mid-channel and crossing to Ouistreham. No alternative vessel was designated.

Ministry of Defence Police

Mr. Cohen: To ask the Secretary of State for Defence what has been the authorised establishment of the Ministry of Defence police for each of the last five years; and what is its proposed establishment for each of the next five years.

Mr. Hanley: The establishment of the Ministry of Defence police for the last five years is:

	Police Officers	*Civilians*
1989	4,964	144·5
1990	4,990	156
1991	5,113	183
1992	5,307	197·5
1993	4,938	209

It is not our practice to speculate on our likely future manpower requirements.

Mr. Cohen: To ask the Secretary of State for Defence what plans he has to change the role of the Ministry of Defence police.

Mr. Hanley: The future role of the Ministry of Defence police is under consideration as part of the study being conducted by Sir John Blelloch and his team. The final report is currently expected at the end of this month.

Nuclear Submarines (Used Cores)

Mr. Cohen: To ask the Secretary of State for Defence what is the estimated cost of providing an interim capability to transport used nuclear submarine reactor cores.

Mr. Aitken: The estimated cost of providing an interim capability using the two commercial containers will be in the order of £5 million.

Mr. Cohen: To ask the Secretary of State for Defence what is the estimated cost of replacing the used core transport packages.

Mr. Aitken: The cost of replacing the used core transport packages with the new purpose-built containers is not yet finalised. We would not wish to prejudice contract negotiations currently taking place with industry by providing an estimated figure.

Mr. Cohen: To ask the Secretary of State for Defence what is the estimated cost of obtaining a licence for the replacement for the used core transport package; and from which subheads of which votes these funds are taken.

Mr. Aitken: Until contract negotiations are complete, we are not in a position to speculate as to the likley cost of licensing the new purpose-built containers. Provision for funding of this work is currently contained in vote 03, sub-heading F.

Nuclear Test Ban

Mr. Cohen: To ask the Secretary of State for Defence what is his Department's current policy on the retention of the right to conduct safety tests under the comprehensive nuclear test ban regime currently being negotiated in Geneva.

Mr. Aitken: The Government are committed to playing an active and constructive part in the negotiation of a comprehensive nuclear test ban. We will look for a verifiable and effective prohibition of all nuclear tests, with the aim of making a contribution to our international non-proliferation objectives. Previously, a minimal programme of nuclear testing has been an important part of proving the safety and reliability of our nuclear warheads. We now aim to use and develop alternative technologies.

Fissile Materials

Mr. Cohen: To ask the Secretary of State for Defence what is his Department's current policy on a fissile materials cut-off.

Mr. Aitken: I refer the hon. Member to the reply given by the Minister of State for Foreign and Commonwealth Affairs—my right hon. and learned Friend the Member for Grantham (Mr. Hogg)—on 7 February to the hon. Member for Blaenau, Gwent (Mr. Smith), *Official Report*, column *15*.

Mr. Cohen: To ask the Secretary of State for Defence if he will give further consideration to publication of his Department's inventory of fissile materials that are not currently in use in nuclear weapons.

Mr. Aitken: It would not be in the national interest to make public details of fissile material held for our nuclear weapons programme.

Civilian Guard Force

Mr. Cohen: To ask the Secretary of State for Defence what plans he has to change the role of his Department's civilian guard force.

Mr. Hanley: We have no plans to change the role of the Ministry of Defence guard service.

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on his Department's plans for a home guard force to supplement the Ministry of Defence police and the civilian guard force.

Mr. Hanley: In the context of the defence costs study we are looking at the idea of creating military home service engagements for carrying out guarding duties. However, this is only one of a number of proposals relating to security which have emerged. Much more work is needed before we can decide to proceed with this particular idea.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Defence in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Hanley: When conducting consultation exercises, my Department considers carefully the need to publicise the background to Government decision making and the individual's right to privacy. Decisions on the need to publish are taken on a case by case basis, and responses are not published where an individual has asked that their remarks be treated as confidential. We have no plans to change this policy.

Hospitals

Mr. Viggers: To ask the Secretary of State for Defence how much was spent on capital improvements during the last *(a)* 20 and *(b)* 10 years at (i) royal naval hospital, Haslar and (ii) Royal Air Force Hospital, Wroughton.

Mr. Hanley: The information requested could be provided only at disproportionate cost and effort.

Trident

Mr. Cran: To ask the Secretary of State for Defence what was the outcome of the test firing of the United Kingdom Trident II D5 missile.

Mr. Aitken: Pursuant to my answer of 26 May 1994 at column *234*, HMS Vanguard successfully launched an unarmed Trident II D5 ballistic missile on 26 May 1994. This was the first such test firing by a United Kingdom submarine, marking an important stage in the Trident programme. HMS Vanguard remains on schedule to deploy around the turn of the year.

WALES

Forestry

Mr. Martyn Jones: To ask the Secretary of State for Wales if he will list forestry land in Wales previously owned by the Forestry Commission, or Forestry Enterprise, which has been sold into private ownership since 1 January 1989, with the dates of each sale and the yearly total amount of forestry land sold in each year in terms of *(a)* land area and *(b)* financial value.

Sir Wyn Roberts: Lists giving details of all areas of forest land sold in Wales by calendar year from 1981 to December 1993 are held in the Library of the House. The total areas sold and the receipts from the sales in each year since 1 April 1988 are given in the following table.

Year ending 31 March	*Forest land sold (Hectares)*	*Total receipts £ million*
1989	1,226	1·5
1990	1,102	1·8
1991	934	2·0
1992	1,231	2·2
1993	1,014	1·2
1994	[1]1,222	[1]1·8

[1]Provisional figures.

Strategic Development Programme

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish for each county and district council what allocation of funding has been made under the strategic development scheme and its predecessor schemes, including the urban programmes, rural initiative, projects of national and regional importance and special projects, for the last three years and for 1994-95.

Mr. Redwood *[pursuant to his reply, 19 April 1994, c. 460-66]:* I regret that the table provided with my reply to the hon. Member was incorrect. A revised table providing the corrected information is given as follows:

Local Authority Urban Programme (UP), Rural Initiative (RI) Project of National and Regional Importance/Special Projects (PRNI/SP) and Strategic Development Scheme (SDS) allocations between 1991 and 1995

Local authority and programme	*1991-92 including UP holiday projects*	*1992-93*	*[1]1993-94*	*[4]1994-95*
Clwyd CC				
RI	165,000	170,000	279,000	—
UP	1,769,020	1,777,985	804,817	—
PRNI/SP	2,390,000	2,361,000	2,000,000	—
SDS	—	—	—	1,297,237
Alyn and Deeside CC				
RI	—	—	—	—
UP	267,613	100,000	337,500	—
PRNI/SP	—	—	—	—
SDS	—	—	—	1,337,527
Colwyn DC				
RI	40,000	—	32,000	—
UP	279,707	133,000	70,000	—
PRNI/SP	—	—	580,000	—
SDS	—	—	—	1,447,000
Delyn BC				
RI	120,000	—	—	—
UP	669,141	756,658	337,998	—
PRNI/SP	650,000	2,000,000	1,950,000	—
SDS	—	—	—	828,758
Glyndwr DC				
RI	180,000	270,000	174,540	—
UP	118,987	225,237	118,131	—
PRNI/SP	—	—	—	—
SDS	—	—	—	186,956

Local authority and programme	*1991-92 including UP holiday projects*	*1992-93*	*[1]1993-94*	*[4]1994-95*
Rhuddlan BC				
RI	147,000	—	27,000	—
UP	544,500	1,125,000	1,137,554	—
PRNI/SP	840,000	825,000	1,200,000	—
SDS	—	—	—	820,867
Wrexham Maelor BC				
RI	—	—	—	—
UP	1,449,203	549,559	246,401	—
PRNI/SP	1,350,000	200,000	2,085,000	—
SDS	—	—	—	1,487,336
Dyfed CC				
RI	553,000	2,312,700	838,500	—
UP	472,538	308,684	351,184	—
PRNI/SP	—	—	—	—
SDS	—	—	—	[2]1,289,653
Carmarthen DC				
RI	557,650	126,500	120,000	—
UP	136,438	17,865	17,865	—
PRNI/SP	—	—	—	—
SDS	—	—	—	[3]183,933
Ceredigion DC				
RI	140,000	240,000	302,000	—
UP	137,127	107,163	76,781	—
PRNI/SP	—	—	500,000	—
SDS	—	—	—	[3]975,194
Dinefwr BC				
RI	78,000	125,000	236,000	—
UP	687,731	1,080,375	427,830	—
PRNI/SP	900,000	600,000	—	—
SDS	—	—	—	1,443,915
Llanelli BC				
RI	—	—	—	—
UP	442,327	1,095,627	764,057	—
PRNI/SP	1,000,000	1,200,000	1,500,000	—
SDS	—	—	—	2,224,300
Preseli Pembs DC				
RI	33,450	347,104	1,021,460	—
UP	283,080	112,439	140,000	—
PRNI/SP	650,000	700,000	—	—
SDS	—	—	—	927,015
South Pembs DC				
RI	60,000	146,000	678,340	—
UP	219,247	193,000	221,792	—
PRNI/SP	—	—	1,000,000	—
SDS	—	—	—	2,481,272
Gwent CC				
RI	—	—	—	—
UP	5,499,696	2,234,987	1,355,759	—
PRNI/SP	1,054,000	500,000	500,000	—
SDS	—	—	—	2,389,256
Blaenau Gwent, BC				
RI	9,800	—	—	—
UP	5,885,725	1,680,885	915,728	—
PRNI/SP	1,055,000	700,000	655,000	—
SDS	—	—	—	1,752,723
Islwyn BC				
RI	—	—	—	—
UP	1,070,884	840,476	722,920	—
PRNI/SP	—	—	—	—
SDS	—	—	—	1,266,908
Monmouth DC				
RI	236,000	211,000	56,911	—
UP	31,683	29,724	203,306	—
PRNI/SP	—	—	—	—

Local authority and programme	*1991-92 including UP holiday projects*	*1992-93*	*[1]1993-94*	*[4]1994-95*
SDS	—	—	—	57,873
Newport BC				
RI	—	—	—	—
UP	703,392	815,426	1,039,886	—
PRNI/SP	—	—	—	—
SDS	—	—	—	1,153,335
Torfaen BC				
RI	—	—	—	—
UP	821,739	464,436	345,344	—
PRNI/SP	—	—	—	—
SDS	—	—	—	640,075
Gwynedd CC				
RI	410,000	208,000	641,000	—
UP	674,774	1,495,728	1,460,011	—
PRNI/SP	248,000	—	806,000	—
SDS	—	—	—	2,310,629
Aberconwy BC				
RI	—	617,983	440,000	—
UP	260,900	190,900	170,450	—
PRNI/SP	759,000	2,185,000	—	—
SDS	—	—	—	1,150,000
Arfon BC				
RI	300,000	94,500	590,000	—
UP	512,403	656,932	381,854	—
PRNI/SP	—	—	—	—
SDS	—	—	—	1,126,050
Dwyfor DC				
RI	250,000	156,400	501,300	—
UP	—	150,000	121,475	—
PRNI/SP	1,400,000	1,900,000	—	—
SDS	—	—	—	787,464
Meirionnydd DC				
RI	—	100,000	526,100	—
UP	402,039	221,029	157,595	—
PRNI/SP	—	—	—	—
SDS	—	—	—	667,826
Ynys Mon BC				
RI	52,000	135,000	390,000	—
UP	538,406	318,282	127,071	—
PRNI/SP	—	—	—	—
SDS	—	—	—	1,140,368
Mid Glamorgan CC				
RI	—	—	—	—
UP	2,183,187	2,374,309	2,195,545	—
PRNI/SP	7,430,000	3,550,000	—	—
SDS	—	—	—	2,595,176
Cynon Valley BC				
RI	—	—	—	—
UP	2,284,621	2,322,765	1,775,532	—
PRNI/SP	—	—	—	—
SDS	—	—	—	1,946,880
Merthyr Tydfil BC				
RI	—	—	—	—
UP	1,071,184	1,487,581	987,046	—
PRNI/SP	—	—	—	—
SDS	—	—	—	902,769
Ogwr BC				
RI	—	—	—	—
UP	1,195,108	1,355,902	1,165,412	—
PRNI/SP	—	—	—	1,102,276
SDS	—	—	—	—
Rhondda BC				
RI	—	—	—	—
UP	1,836,311	1,899,285	2,804,766	—

Local authority and programme	*1991-92 including UP holiday projects*	*1992-93*	[1]*1993-94*	[4]*1994-95*
PRNI/SP	900,000	—	—	—
SDS	—	—	—	4,460,290
Rhymney Valley DC				
RI	—	—	—	—
UP	655,358	1,161,266	744,720	—
PRNI/SP	—	—	—	—
SDS	—	—	—	800,000
Taff-Ely BC				
RI	—	—	—	—
UP	675,850	1,084,591	533,282	—
PRNI/SP	350,000	—	—	—
SDS	—	—	—	430,789
Powys CC				
RI	277,122	500,000	317,000	—
UP	491,158	114,640	90,566	—
PRNI/SP	—	—	—	—
SDS	—	—	—	774,738
Brecknock BC				
RI	360,000	—	110,000	—
UP	27,000	250,000	—	—
PRNI/SP	—	—	1,316,000	2,330,000
SDS	—	—	—	—
Montgomeryshire DC				
RI	580,000	196,826	262,000	—
UP	—	—	—	—
PRNI/SP	—	—	—	—
SDS	—	—	—	125,790
Radnor DC				
RI	420,000	31,000	—	—
UP	14,686	15,836	15,836	—
PRNI/SP	805,000	250,000	—	—
SDS	—	—	—	182,918
South Glamorgan CC				
RI	—	—	—	—
UP	1,166,343	1,624,470	1,339,602	—
PRNI/SP	400,000	—	—	—
SDS	—	—	—	1,227,698
Cardiff CC				
RI	—	—	—	—
UP	1,229,534	1,076,683	1,310,492	—
PRNI/SP	—	—	—	—
SDS	—	—	—	988,961
Vale of Glamorgan BC				
RI	—	—	—	—
UP	298,710	577,677	760,882	—
PRNI/SP	—	—	—	—
SDS	—	—	—	1,189,632
West Glamorgan CC				
RI	—	—	—	—
UP	1,123,304	1,344,746	1,632,821	—
PRNI/SP	—	300,000	1,879,000	—
SDS	—	—	—	2,281,353
Port Talbot BC				
RI	—	—	—	—
UP	630,700	183,047	323,809	—
PRNI	—	—	—	—
SDS	—	—	—	252,797
Lliw Valley BC				
RI	—	—	8,344	—
UP	309,300	432,078	338,504	—
PRNI/SP	—	—	—	—
SDS	—	—	—	281,758
Neath BC				
RI	—	—	—	—
UP	823,520	679,811	314,785	—

Local authority and programme	*1991-92 including UP holiday projects*	*1992-93*	*[1]1993-94*	*[4]1994-95*
PRNI/SP	—	—	—	—
SDS	—	—	—	352,311
Swansea CC				
RI	—	—	—	—
UP	574,727	544,277	964,804	—
PRNI/SP	1,239,000	—	165,000	—
SDS	—	—	—	2,625,245

[1] Includes additional in-year allocations.

[2] Includes £0·5 million available to any local authority within the West Wales task force area.

[3] Does not include £1·9 million set aside for projects supported in principle for Carmarthen DC and Ceredigion DC.

[4] Includes slippage on schemes carried forward from 1993-94 and £10,000 revenue allocation for each of the five successful Community revival strategies, but excludes the capital allocations which will not be confirmed until receipt of the business plans in June 1994 or the money set aside for the development of the industrial village concept.

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Wales if he will list for each of the last five years the cost to public funds of consultancy work provided by *(a)* KPMG Peat Marwick, *(b)* Touche Ross, *(c)* Price Waterhouse, *(d)* Ernst and Young, *(e)* CSL, *(f)* Prime, *(g)* Basis, *(h)* Theodore Goddard, *(i)* Dibb Lupton Broomhead, *(j)* Capita and *(k)* Shreeveport to his Department; and if he will list any other firms which have provided consultancy work and the costs to public funds for each of the last five years.

Mr. Redwood: I refer the hon. Member to the reply given to the hon. Member for Darlington (Mr. Kilburn) on 15 April 1994, *Official Report*, columns *318-20*, which provides details of individual consultancy firms employed by the Welsh Office since 1988-89.

The Department's total expenditure on management consultancies is as follows:

	£ thousands
1988-89	479
1989-90	342
1990-91	229
1991-92	1,109
1992-93	1,416
1993-94	1,454

Details of expenditure with individual firms cannot be disclosed for reasons of commercial confidentiality.

Government Information

Mr. Llew Smith: To ask the Secretary of State for Wales when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. Redwood: The Welsh Office guidance on implementing the code of practice was issued internally on 19 April. I have sent a copy to the hon. Member and copies have been placed in the Libraries of both Houses and of the Welsh Office, Cardiff. A bilingual leaflet for the public is in preparation and will be distributed to advice centres and public libraries in Wales.

School Buildings

Mr. Llwyd: To ask the Secretary of State for Wales what amount was spent on repair and maintenance of school buildings by each local education authority in Wales and in Wales as a whole for each financial year since 1989-90; and if he will make a statement.

Sir Wyn Roberts: The available information is given in the following table. Figures for 1993-94 are not yet available.

Gross current expenditure on repair and maintenance of local authority school buildings, fixed plant and grounds, at cash prices[1]

£ million

	1989-90	*1990-91*	*1991-92*	*1992-93*
Clwyd	3·0	3·3	3·7	3·7
Dyfed	2·7	3·9	3·5	4·3
Gwent	4·4	4·9	5·5	6·4
Gwynedd	3·0	2·5	2·5	2·5
Mid Glamorgan	9·6	10·3	12·5	11·5
Powys	1·5	1·5	1·9	2·1
South Glamorgan	4·2	4·4	4·7	5·5
West Glamorgan	5·4	6·4	6·6	5·9
TOTAL COUNTIES	33·8	37·0	40·9	42·0

Source: Local authority returns.

[1] Excludes all capital expenditure. Excludes grant-maintained schools. Includes salaries of building maintenance workers and groundsmen, cost of materials, recharges by external agencies, charges from direct service organisations, architects, engineers and surveyors and expenditure on energy conservation and on health and safety. From 1990-91 onwards, also includes contract charges—including those relating to compulsory competitive tendering arrangements. Excludes salaries of caretakers, cleaners, etcetera.

Arable Aid

Mr. Alex Carlile: To ask the Secretary of State for Wales what are the yield figures set for land in *(a)* less-favoured areas and *(b)* non-less-favoured areas in the calculation of arable aid payments in Wales for the 1994-95 marketing year; and if he will make a statement.

Mr. Redwood: The yield in the LFA is set at 3.32 tonnes per hectare—t/ha—and the yield in the non-LFA is set at 5·17 t/ha. These yields give an overall average yield for Wales of 4.65 t/ha, the historical average yield for 1986-89, excluding the lowest and highest annual yields, as required by the EC regulation. It would require an EC change of regulation to allow more up-to-date yields to be used.

Mr. Alex Carlile: To ask the Secretary of State for Wales how much a farmer growing cereals will be paid in arable aid for each hectare of cereals grown in 1993-94 in *(a)* less-favoured areas in Wales and *(b)* non-less-favoured areas in Wales; and if he will make a statement.

Mr. Redwood: The payment under the arable area payments scheme for cereals grown in Wales in 1993-94 will be 116·20 ecu per hectare in the LFA and 180·95 ecu per hectare in the non-LFA. These will be converted to sterling at the green rate prevailing on 1 July 1994 but are likely to amount to some £107 in the LFA and £167 in the non-LFA.

Payments will be reduced if the base area is exceeded.

Mr. Tipping: To ask the Secretary of State for Wales if he will set out by county a breakdown of the 1993 arable area payments scheme.

Mr. Redwood: The number of hectares claimed by county in Wales as at end March 1994 is as follows:

	Simplified Scheme	*Main Scheme*				
County	*Area Claimed (ha)*	*Cereals Area Claimed (ha)*	*Oilseeds Area Claimed (ha)*	*Protein Area Claimed (ha)*	*Set-aside Area Claimed (ha)*	*Total*
Clwyd	3,707	1,823	209	178	442	2,652
Dyfed	9,284	3,508	309	240	810	4,867
Gwent	2,342	2,501	389	129	547	3,566
Gwynedd	1,830	783	35	43	165	1,026
Mid Glamorgan	320	1,097	139	76	238	1,550
Powys	3,290	2,421	192	75	488	3,176
South Glamorgan	882	1,889	98	102	398	2,487
West Glamorgan	655	114	30	—	—	170
TOTAL	22,310	14,136	1,401	843	3,114	19,494

The total number of claims received were Main Scheme 299.
Simplified scheme, 2,223—this information is not available on a county basis.

Education Policy (Representations)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet the Buckley and Mynydd Isa head teachers' consortium to discuss their representations on educational policy for the early years.

Sir Wyn Roberts: My right hon. Friend has no plans for such a meeting.

Nursery and Reception Classes

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning his policies for nursery and reception classes in local education authority schools.

Sir Wyn Roberts: The provision of education for children aged under five in local education authority schools remains at the discretion of the local education authorities themselves.

Mr. Barry Jones: To ask the Secretary of State for Wales how many *(a)* male and *(b)* female (i) teachers and (ii) ancillary staff are employed in each local education authority in Wales in nursery and reception classes; and if he will make a statement.

Sir Wyn Roberts: The number of qualified teachers in nursery and primary schools in each local education authority, as at January 1993, are shown in the table. Data on males and females are not separately available for nursery schools. The numbers of ancillary staff in nursery and primary schools and the numbers of teachers in nursery and reception classes are not collected centrally.

Number of qualified teachers[1]

	Nursery schools	*Primary schools*	
		Males	*Females*
Clwyd	7	388	1,441
Dyfed	9	332	1,478
Gwent	22	396	1,547
Gwynedd	—	246	743
Mid Glamorgan	54	48	1,972
Powys	—	127	415
South Glamorgan	24	287	1,537
West Glamorgan	5	327	1,420

[1] Includes all full-time and part-time qualified teachers.

Health Authority Funding

Mr. Ainger: To ask the Secretary of State for Wales what was the cash allocation for health authorities discretionary use in each year since 1988-89, including 1994-95; and what was the percentage change in each year.

Mr. Gwilym Jones: The overall level of cash increases for hospital and community health services including the provision to health authorities is as follows:

	Overall cash increase over previous year £ million	*Percentage revenue cash increase over previous year Per cent.*	*Revenue cash increase for health authorities' discretionary use £ million*	*Percentage revenue cash increases for health authorities Per cent.*
1988-89	46·5	6·2	39·3	5·3
1989-90	[1]44·0	4·8	51·3	6·3
1990-91	72·8	8·2	57·6	6·5
1991-92	103·7	10·6	92·0	9·8

	Overall cash increase over previous year	*Percentage revenue cash increase over previous year*	*Revenue cash increase for health authorities' discretionary use*	*Percentage revenue cash increases for health authorities*
	£ million	*Per cent.*	*£ million*	*Per cent.*
1992-93	102·3	9·1	79·0	7·0
1993-94	46·5	3·7	29·0	2·2
1994-95	53·0	4·3	[1]34·9	2·8

[1] Net of estimated saving of £16·3 million from the reduction in the rate of employers' superannuation contributions from 7·5 per cent. to 4 per cent. This sum, although not additional to the overall level of resources available for hospital and community health service in 1989-90 was redistributed to health authorities as additional cash resources for their discretionary use.

[2] Includes £1 million transferred from the resources previously allocated to the Welsh Health Common Services Authority.

The difference between the overall level of the cash increases and that provided to health authorities for their discretionary use represents the amount of money that has been earmarked each year for development in specific services from which health authorities derive benefit and which is allocated to health authorities during the financial year.

St. Dogmael's Landslip

Mr. Dafis: To ask the Secretary of State for Wales what representations he has received regarding the St. Dogmael's landslip; when he will visit the area to inspect the site; and if he will make a statement.

Mr. Gwilym Jones: My right hon. Friend has received representations from a number of organisations and individuals. He has no plans to visit the area at present.

Rugby Union

Mr. Hain: To ask the Secretary of State for Wales what assistance his Department has given, directly or indirectly, to the sport of rugby union in Wales; and if he will make a statement.

Sir Wyn Roberts: Central Government funding for sport in Wales is channelled for the most part through the Sports Council for Wales. In 1993-94 the council provided financial assistance of £167,241, to the sport of rugby union football.

National Parks

Mr. Dafis: To ask the Secretary of State for Wales if he will publish for *(a)* each district council, *(b)* each county council, *(c)* each of the proposed new unitary council areas and *(d)* for Wales as a whole (i) the total area, (ii) the area of national parks and (iii) the percentage of the area occupied by national parks.

Mr. Gwilym Jones: With regard to the new unitary authority areas, I will write to the hon. Gentleman when the boundaries of the new authorities have been agreed by Parliament and will place a copy of my reply in the Library of the House.

(i) The total area of *(a)* each district council, *(b)* each county council and *(d)* Wales as a whole are published in Table 1.06 of the "Environmental Digest for Wales", No. 8, 1993, copies of which are available in the Library of the House.

(ii) and (iii)

(a) The approximate area of each district council covered by national parks and the percentage of the area covered by the national parks are readily available only in respect of the Brecon Beacons and Pembrokeshire Coast national parks. Details are given in the following table.

District	*Area covered by national parks (thousand hectares)*	*Percentage of district area covered by national parks*
Brecon Beacons:		
Brecknock	89·4	50·0
Dinefwr	22·7	23·2
Cynon Valley	5·4	30·4
Merthyr Tydfil	2·5	22·5
Blaenau Gwent	1·9	15·0
Torfaen	0·1	0·8
Monmouth	13·1	15·7
Pembrokeshire Coast:		
Preseli Pembrokeshire	41·5	36·0
South Pembrokeshire	16·9	38·7

Source:
Brecon Beacons national park.
Pembrokeshire Coast national park.

(b) For each county council the approximate area covered by national parks and the percentage of the area covered by national parks are as follows:

County	*Area covered by national parks (thousand hectares)*	*Percentage of county area covered by national parks*
Dyfed	81·1	14·0
Gwent	15·1	11·0
Gwynedd	217·1	56·2
Mid Glamorgan	7·9	7·8
Powys	89·4	17·6

Source:
Brecon Beacons national park.
Pembrokeshire Coast national park.
Countryside Council for Wales.

(d) For the whole of Wales, national parks cover 409·8 thousand hectares, which is 20 per cent. of the total area of Wales.

Rural Transport Innovation Grant Scheme

Mr. Jonathan Evans: To ask the Secretary of State for Wales what was the amount of each grant approved by his Department in respect of the rural transport innovation grant scheme, under section 108 of the Transport Act 1985 for each year since 1987.

Sir Wyn Roberts: Three grants of £7,000, £8,762 and £2,450 were approved in 1987; three of £12,250, £11,000 and £11,000 in 1988; and one of £11,880 in 1990. No grants were approved in 1989 and none has been since 1990.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for Wales in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Redwood: It is my Department's normal practice, when issuing a public consultation document, to state that responses may be made public, unless respondees explicitly ask for their replies to be kept confidential. Non-confidential responses, or a summary, may be made available in a report or may be placed in the Library of the House and the Welsh Office, Cardiff.

Hospice Care

Mr. Morgan: To ask the Secretary of State for Wales if he will issue guidelines on the payment arrangements for hospice care to health authorities and the social services departments of councils; what representations he has received in relation to the appropriate source of funding for hospice care; what provision he intends to make in relation to the means-testing of hospice care; and if he will make a statement.

Mr. Redwood: Guidance will be included in a forthcoming Welsh health circular, notifying health authorities of their additional allocations for support of the voluntary hospice movement.

My Department has received representations on funding for hospice care from Marie Curie Cancer Care and the George Thomas Centre for Hospice Care.

Where palliative care during terminal illness is arranged by the NHS, whether it is at home or as a hospice resident, there are of course no charges except where specifically allowed by statute—for example, prescription charges. Where, however, some support is provided by a social services authority, the usual rules for means-testing apply.

Block Grant

Mr. Ainger: To ask the Secretary of State for Wales how much in percentage and cash terms of the Welsh Office block grant was allocated to each of the 12 votes within class XV of the supply estimates between 1988-89 and 1994-95.

Mr. Redwood: The information requested is set out in the following table.

Welsh Office public expenditure in the supply estimates (£ million)

	1988-89	*Percentage of block*
Vote 1	82	NB
Vote 2	75	NB
Vote 3	111	NB
Vote 4	—	NB
Vote 5	215	7
Vote 6	87	3
Vote 7	278	9
Vote 8	856	27
Vote 9	42	1
Vote 10	—	
Vote 11	—	
Vote 12[2]	—	
Vote 13[2]	—	
The Block[1]	3,173 Cm. 288	

	1989-90	*Percentage of block*
Vote 1	79	NB
Vote 2	90	NB
Vote 3	118	NB
Vote 4	—	NB
Vote 5	258	7
Vote 6	122	3
Vote 7	305	9
Vote 8	963	28
Vote 9	46	1
Vote 10	—	
Vote 11	—	
Vote 12[2]	—	
Vote 13[2]	—	
The Block[1]	3,488 Cm. 617	

	1990-91	*Percentage of block*
Vote 1	99	NB
Vote 2	101	NB
Vote 3	112	NB
Vote 4	—	NB
Vote 5	322	8
Vote 6	485	12
Vote 7	315	8
Vote 8	1,096	26
Vote 9	52	1
Vote 10	1,604	39
Vote 11	30	1
Vote 12[2]	—	
Vote 13[2]	—	
The Block[1]	4,142 Cm 1,016	

	1991-92	*Percentage of block*
Vote 1	112	NB
Vote 2	113	NB
Vote 3	84	NB
Vote 4	—	NB
Vote 5	403	9
Vote 6	543	12
Vote 7	332	7
Vote 8	1,284	28
Vote 9	55	1
Vote 10	1,828	40
Vote 11	—	
Vote 12[2]	—	
Vote 13[2]	—	
The Block[1]	4,609 Cm 1,516	

	1992-93	*Percentage of Block*
Vote 1	151	NB
Vote 2	121	NB
Vote 3	71	NB

	1992-93	*Percentage of Block*
Vote 4	156	NB
Vote 5	503	9
Vote 6	594	11
Vote 7	353	6
Vote 8	1,435	26
Vote 9	60	1
Vote 10	2,173	40
Vote 11	67	1
Vote 12[2]	—	—
Vote 13[2]	—	—
The Block[1]	5,473 Cm 1916	

	1993-94	*Percentage of Block*
Vote 1	193	NB
Vote 2	174	NB
Vote 3	7	NB
Vote 4	147	NB
Vote 5	787	14
Vote 6	619	11
Vote 7	371	6
Vote 8	1,525	27
Vote 9	64	1
Vote 10	2,150	37
Vote 11	3	0
Vote 12[2]	4	0
Vote 13[2]	2	0
The Block[1]	5,735 Cm 2215	

	1994-95	*Percentage of Block*
Vote 1	204	NB
Vote 2	34	NB
	157	2
Vote 3	6	0
Vote 4	564	9
Vote 5	488	8
Vote 6	605	9
Vote 7	365	6
Vote 8	1,628	25
Vote 9	66	1
Vote 10	2,214	35
Vote 11	5	0
Vote 12[2]	7	0
Vote 13[2]	14	0
The Block[2]	6,410 Cm 2515	

Note: The symbol (—) denotes nil or less than £0·5 million.

NB=Non-Block. In 1994-95 the industry and training programmes became part of the block.

[1] The totals shown for the block are not the sum of the figures for block programmes shown against individual votes. They include non-voted items such as local authority credit approvals, and for years before 1990-91, local authority grants which, although paid through the votes, did not score in the planning total.

[2] The expenditure covered by these votes has changed over the years as follows: vote 12: 1988-1991, rate rebate grant; 1991-92, water privatisation; 1992-93, no vote; 1993 onwards, OHMCI; vote 13, 1988-89, transport supplementary grants; 1989-91, water privatisation; 1991-93, no vote; 1993 onwards, ERDF.

Ministerial Visits

Mr. Win Griffiths: To ask the Secretary of State for Wales how many times since his appointment he has had an engagement in the area of Ogwr borough council; and how many times he has travelled through *(a)* the borough of Ogwr and *(b)* the Bridgend constituency going to and from official engagements.

Mr. Redwood: I have visited the area of Ogwr borough council six times since I became Welsh Secretary, as follows:

1993

1 June	Bridgend
14 October	Bridgend
3 November	Laleston, Bridgend

1994

15 February	Porthcawl
28 March	Bridgend
30 March	Ogmore

It is not possible to estimate the number of times I have passed through the area, as this information can be provided only at disproportionate cost.

I frequently travel through Bridgend on the train on the way to Port Talbot, Swansea and the south-west.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Wales how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, (b) staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Redwood: The following statistics are available:

Year	*Number of job offers reported by staff*		
	Grade 3 and above	*Below grade 3*	*Number of staff involved in procurement work*
1990	1	3	—
1991	—	4	—
1992	—	4	1
1993	—	1	—
1994 (to end May)	—	1	—

All those job offers resulted in applications to join the company concerned.

Information covering the years 1986 to 1989 could be provided only at disproportionate cost.

Private Investigation Services

Mr. Donohoe: To ask the Secretary of State for Wales, pursuant to his answer of 5 May, *Official Report*, column *643-44*, how much his Department has spent on private investigation services during the last two years; if he will list those companies which have been employed by his Department during this period; what safeguards his Department took to ensure that these agencies were members of the Association of British Investigators; and what guidelines are currently in operation within his Department as regards this matter.

Mr. Redwood: Seven private investigation agencies have been used by my Department in the last two years, at a total cost of £7,684·10. Although there is no prerequisite for the agencies appointed to be members of the Association of British Investigators, all but two of these agencies have been members of the association.

Private investigation services have been used in cases of damage to trunk road furniture and personal injury claims. The companies are not named for reasons of commercial confidentiality. There are no specific guidelines for their use, other than value for money considerations.

Rights of Way

Mr. Llew Smith: To ask the Secretary of State for Wales what progress has been made in developing a rights-of-way network in Wales.

Sir Wyn Roberts: The development of a public rights-of-way network in Wales falls to the Countryside Council for Wales working in partnership with local authorities, voluntary bodies and user groups.

The council has set itself the target of ensuring that a public rights-of-way network is opened and available for use by 1995 and all eight Welsh highway authorities have confirmed their commitment to it. This interim network should comprise at least national trails, routes of strategic importance to highway and planning authorities and paths of special value to local communities.

A Wales-wide survey of rights-of-way was started in 1992, and to date over 100 surveys have been completed. The results have been analysed to provide detailed information on the location and condition of the Principality's network.

By 1999, the system of rights-of-way should be open and available for use. These targets are endorsed by the Government.

Prescriptions

Mr. Donald Anderson: To ask the Secretary of State for Wales how many prescriptions were dispensed in Wales in 1993-94; and how many individuals received exemptions from prescription charges.

Mr. Gwilym Jones: *[holding answer 17 May]:* Some 34,330,000 prescription items were dispensed in Wales in 1993-94. It is not known centrally how many individuals received exemption from prescription charges. However, in 1993-94 28,840,000 prescripton items exempt from charges were dispensed—excluding those where a pre-payment certificate was involved.

Written Answers to Questions

Wednesday 15 June 1994

OVERSEAS DEVELOPMENT ADMINISTRATION

Desertification Convention

Mr. McGrady: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to announce a change in funds to combat desertification at the signing of the desertification convention in Paris in June.

Mr. Lennox-Boyd: I refer the hon. Member to the answer that I gave to the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) on 14 April at column *257.*

We have no plans to make an announcement in Paris, but we will consider our position in the light of the agreement reached.

HOME DEPARTMENT

Citizenship Applications

Mr. Raynsford: To ask the Secretary of State for the Home Department how many applications for British nationality have been outstanding for *(a)* more than one year, *(b)* more than two years and *(c)* more than three years.

Mr. Charles Wardle: On 31 May 1994, there were 11,388 applications for British citizenship in the nationality division which had been outstanding for more than one year, of which 2,915 had been outstanding for more than two years, including 818 for more than three years.

Mr. Raynsford: To ask the Secretary of State for the Home Department what is the average length of time taken to process applications for British nationality; and what were the average times taken in 1979, 1984 and 1989.

Mr. Charles Wardle: Average waiting times for certificates of British citizenship issued in May 1994 were 15 months for naturalisations and 11 months for registrations; and in May 1989, 22 and 18 months respectively. Comparable figures for 1984 and 1979 are not available, but average waiting times for the first quarter of 1985—calculated on a different basis—were 13 and 11 months, and for 1979, 25 months for naturalisations.

Migration Statistics

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many immigrants have entered the United Kingdom in the last 10 years; and if he will provide a breakdown of the ages and nationalities contained within this figure;

(2) how many people have emigrated from the United Kingdom in the last 10 years; and if he will provide a breakdown of the ages and nationalities contained with this figure.

Mr. Charles Wardle: Information on immigration and emigration from the United Kingdom is provided by the Office of Population Censuses and Surveys from the international passenger survey, which defines a migrant as a person leaving one country where he or she has been a resident for a year or longer with the intention of residing in another country for a year or longer. In the 10 years 1983-92, the total numbers of intending immigrants and emigrants were 2·31 million and 2·09 million respectively. These figures include British citizens and other EC nationals, but exclude migration between the Republic of Ireland and the United Kingdom. Analyses of the annual data by broad nationality and by broad age group are given in tables 2.1 and 2.9 respectively of the OPCS publication "International Migration, 1992", a copy of which is in the Library of the House. Data for 1993 are not yet available.

As the IPS data are based on intentions to migrate, it is highly likely that they exclude persons seeking asylum after entering the country and other persons admitted as short-term visitors who are subsequently granted an extension of stay for a year or longer. It is estimated that there were around 200,000 such persons in 1983-92, net of persons leaving the United Kingdom for a short-term period who stayed overseas for longer than originally intended.

The OPCS data include temporary migration for a year or longer by, for example, students and workers. Home Office data on immigration relate to the number of persons accepted for settlement—that is, allowed to stay indefinitely. There were 514,000 such persons in the 10-year period 1984-93. Analyses by nationality of the annual data for 1984-92 and 1993 are given in table 6.5 of "Control of Immigration: Statistics, United Kingdom, 1992", Cm 2368, and table 1.1 of the statistical bulletin "Control of Immigration: Statistics—Third and Fourth Quarters and Year 1993", issue 9/94, respectively. An analysis by age of person is readily available only for 1992 and is given in table 6.2 of Cm 2368. Copies of both Home Office publications are also in the Library.

DTELS

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department how he intends to pay the residual expenses arising from the privatisation of DTELS.

Mr. Howard: DTELS—formerly the Directorate of Telecommunications—was sold on 1 March 1994 to National Transcommunications Ltd. for £6·6 million. The balance of proceeds, after payment of expenses relating to 1993-94, was surrendered to the Consolidated Fund in March 1994.

There are further expenses arising from the sale to be paid in 1994-95. Parliamentary approval for this new service will be sought in a summer supplementary estimate for the Home Office's administration, immigration, probation and police support services vote, class VIII, vote 3. Pending that approval, urgent expenditure estimated at £800,000 will be met by repayable advances from the contingencies fund.

Cash Limits

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department what proposals he has for changes to the 1994-95 cash limits within his responsibilities and to the Home Office running costs limit.

Mr. Howard: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for class VIII, vote 3—Home Office administration, immigration, probation and police support services, England and Wales —will be increased by £442,000 from £1,212,240,000 to £1,212,682,000. This will enable repayment of an advance from the contingencies fund of £800,000 for residual payments, which are not included in the public expenditure control total, in connection with the privatisation of the Directorate of Telecommunications: the amount required is reduced because of transfers totalling £358,000 out of the vote to other Government Departments. In consequence of these transfers, the Home Office gross running cost limit will be reduced by £358,000 from £1,706,534,000 to £1,706,176,000.

The local authority capital non-voted HO/LACAP cash limit will be increased by £421,000 from £121,870,000 to £122,291,000. The additional provision results from the transfer of supplementary credit approvals from the Welsh Office's non-voted cash limit WO/LACAP for the purpose of the replacement of fire service mobilisation and communications systems, to allow the Home Office to hold and issue the entire provision of fire supplementary credit approvals for both England and Wales. The increase will be offset by a transfer and will not therefore add to the planned total of expenditure.

Fire Service

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if the fire service is required to attend train and plane crashes not involving fires; and if he will make a statement.

Mr. Charles Wardle: Under section 1 of the Fire Services Act 1947, a fire authority has a duty to make provision for firefighting purposes, and in particular to secure the services of a fire brigade and equipment in order to meet efficiently all normal requirements. Section 3(1)*(e)* of the 1947 Act gives a fire authority supplementary powers to employ its brigade for purposes other than firefighting. This may include attendance at train and aircraft accidents not involving fires.

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will list the number of fatalities resulting from fires in buildings built since 1979 for each year since 1979; and if he will make a statement.

Mr. Charles Wardle: This information is not available from the statistics collected from fire brigades.

Police and Magistrates' Courts Bill

Mr. Sims: To ask the Secretary of State for the Home Department whether he intends to take steps, ahead of Royal Assent, to implement any provisions of the Police and Magistrates' Courts Bill.

Mr. Howard: I intend that the new police authorities should be set up this autumn to prepare for the assumption of their full responsibilities from 1 April 1995. Under the terms of the Police and Magistrates' Courts Bill currently before Parliament, the new authorities will include independent members who are neither councillors nor magistrates. I intend to undertake an advertising exercise at a cost not exceeding £40,000, so that members of the public can apply for appointment as an independent member of their police authority. No appointments will be made until the Police and Magistrates' Courts Bill has become law. The appointments will be made by the councillor and magistrate members of the new police authorities.

Parliamentary approval for expenditure on this new service will be sought in a summer supplementary estimate for the Home Office administration, immigration, probation and police support services, England and Wales vote, class VIII, vote 3. Pending that approval, urgent expenditure estimated at £40,000 will be met by repayable advances from the Contingencies Fund.

TREASURY

Taxation

Mr. Cox: To ask the Chancellor of the Exchequer what assessment his Department is to make as to the effect of the recent tax increases on economic recovery within the Greater London area.

Mr. Nelson: The forecast for economic growth this year, including Greater London, takes full account of the effect of the tax increases announced in last year's Budgets. A number of recent indicators, including manufacturing output, retail sales, and new car registrations, suggest that the economy is continuing to recover.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Chancellor of the Exchequer how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Nelson: The Treasury only holds records on the information requested from 1987. The answer to each question is as follows:

(a) Six: one in 1990, three in 1991, one in 1992 and one in 1993. All were followed by an application to join the company concerned.

(b) No records are held centrally because they are notified to line managers.

(c) Six in 1993, and one in 1994. None of these has been followed by applications to join any of the companies concerned.

(d) No central records are held for staff below grade 3 because they are notified to line managers. Details for staff at grade 3 and above are listed at (a).

Gilts

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what proportion of British gilts were bought by foreign purchasers in each of the last three years and for 1994 to date.

Mr. Nelson: A sectoral breakdown of purchases of Government securities is given at table 10.2F of the Central Statistical Office's "Financial Statistics".

ECOFIN

Mr. Simon Burns: To ask the Chancellor of the Exchequer if he will make a statement on the most recent Council meeting of the European Economic and Finance Ministers.

Mr. Kenneth Clarke: I represented the United Kingdom at the Economic and Finance Council of the European Union—ECOFIN—in Luxembourg on 6 June.

The Council discussed follow-up work to the Brussels European Council conclusions on the Commission's White Paper on "Growth, Competitiveness and Employment." The Council endorsed a report from the Economic Policy Committee on labour markets which stressed the need for structural reforms and greater flexibility. The Council welcomed the indication from the President of the European Commission that he was ready to pursue the suggestion made by the German Minister for the establishment of an independent task force to consider deregulation. The Council considered reports from the European Commission and the European investment bank of trans-European networks.

Most Ministers agreed that there was insufficient evidence to show that a "financing gap" existed regarding TENs. The presidency will present a report to the Corfu European Council summarising the views expressed at ECOFIN.

The Council approved a recommendation on broad economic guidelines for consideration by the Corfu European Council in accordance with article 103(2) of the treaty.

The Council adopted the decision allowing the Community to participate in the European investment fund. I am placing in the Libraries of both Houses a copy of that decision and the associated EIF statute.

The Council took note of the work of a high-level group on possible taxes on carbon and energy, which would report to the Environment Council on 8-9 June, and concluded that final responsibility for taxation matters rests with the ECOFIN Council.

Finally, the Council also had a brief general discussion on fraud. However, a substantive discussion was deferred until July when detailed conclusions are expected to be adopted.

There were no formal votes.

Cash Limits

Mr. Burns: To ask the Chancellor of the Exchequer what changes are proposed to the Inland Revenue's cash and running costs limits for 1994-95.

Mr. Dorrell: Subject to parliamentary approval of the necessary revised estimate, the cash limit for class XVII vote 5 will be reduced by £51,462,000 from £1,704,123,000 to £1,652,661,000 and the running costs limits will be increased by £25,738,000 to £1,714,655,000. The cash limit reduction allows for £362,000 to be transferred to the Lord Chancellor's Department—class IX, vote 1—in respect of the transfer of responsibility to that Department for the costs of the general commissioners of income tax. The balance of the cash limit reduction and the increase in the running costs limit arise from the outsourcing of some of the Department's information technology work to EDS Scicon Ltd. on 1 July 1994. This involves switching capital expenditure into running costs.

LORD CHANCELLORS'S DEPARTMENT

Legal Services Ombudsman

Mr. Fabricant: To ask the Parliamentary Secretary. Lord Chancellor's Department when the legal services ombudsman intends to publish his third annual report.

Mr. John M. Taylor: The legal services ombudsman has today published his third annual report.

Domestic Violence

Mr. Fabricant: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to implement the recommendations in the Law Commission's report, "Domestic Violence and Occupation of the Family Home."

Mr. John M. Taylor: The Government have decided to implement almost all the recommendations contained in the report and consider them to provide a firm basis upon which to reform the law relating to the civil remedies for domestic violence and occupation of the family home. Legislation to implement the recommendations will be introduced when a suitable opportunity occurs.

The Government have not accepted the recommendation to give the police the power to take civil action on behalf of victims of domestic violence or the recommendation for two of the proposed new categories of associated persons who would be able to apply for non-molestation and occupation orders.

The categories which have not been accepted are people

> "who have at any time agreed to marry each other (whether or not that agreement has been terminated)"

and people

> "who have or have had a sexual relationship with each other (whether or not including sexual intercourse)".

TRANSPORT

Cash Limits

Mr. Dunn: To ask the Secretary of State for Transport what proposals he has to change his Department's cash limits and running costs limits for 1994-95.

Mr. MacGregor: Subject to parliamentary approval of the necessary revised estimate and supplementary estimates, the following changes will be made:

(i) the cash limit for class VI, vote 1—Highways Agency—will be reduced by £3,500,000 from £2,102,028,000 to £2,098,528,000 to give effect to the transfer of expenditure on the Woolwich ferry to class VI, vote 5;

(ii) the cash limit for class VI, vote 5—local roads and transport—will be increased by £2,855,000 from £530,049,000 to £532,904,000. The increase is made up of a transfer from class VI, vote 1 of £3,500,000 offset by a transfer to DoT/LACAP of £645,000 which will therefore increase DoT/LACAP cash limit by £645,000 from £290,713,000;

(iii) the cash limit for class VI, vote 2—administration and transport services—will be increased by £1,015,000 from £234,410,000 to £235,425,000. Additional provision is required for residual expenses in connection with the sale of DVOIT at £15,000 and for the sale of the Transport Research Laboratory at £1,000,000.

The overall increase will not add to the planned total of public expenditure.

Accidents (Agricultural Machinery)

Mr. Alex Carlile: To ask the Secretary of State for Transport if he will list *(a)* the number of accidents involving a tractor or other agricultural machinery on public roads and *(b)* the number of fatalities resulting from such accidents for each of the past eight years; and if he will make a statement.

Mr. Key: It is not possible to identify tractors and agricultural machinery in the road injury accident data collection system. However, by linking road accident data with vehicle licencing information, it is possible to provide broad estimates of the information required since 1989, which are shown in the table.

Injury road accidents involving agricultural machines[1] *Great Britain 1989-92*

	Accidents
1989	684
1990	711
1991	850
1992	858

[1] Vehicles with a taxation class of "agricultural machine".

Casualties: number of people killed in accidents involving agricultural machines[1] *in Great Britain 1989-92*

	Killed
1989	32
1990	33
1991	25
1992	38

[1] Vehicles with a taxation class of "agricultural machine".

Road Maintenance

Mr. Alex Carlile: To ask the Secretary of State for Transport what was the total public expenditure on road maintenance in England for each of the last five years; and if he will make a statement.

Mr. Key: The figures are:

£ million

	Department of Transport expenditure			*Local authority expenditure*			
Year	*Trunk roads—capital*	*Trunk road bridges—capital*	*Trunk roads—current (routine)*	*Principal roads—capital*	*Bridges—capital*	*Local roads—current*	*Total*
1989-90	240	66	104	—	—	1,410	1,820
1990-91	289	87	121	—	—	1,665	2,162
1991-92	307	120	145	—	80	1,690	2,342
1992-93	365	116	160	117	108	1,788	2,654
1993-94	403	129	162	176	146	1,744	2,760

Notes:

1. Local authority expenditure for capital work on principal roads and bridges is funded via transport supplementary grant.
2. Local authority current expenditure is funded through revenue support grant paid by DOE based on the highways maintenance standard spending assessment.
3. Figures for local authority expenditure in 1993-94 are budget figures.

NATIONAL HERITAGE

Cash Limits

Mr. Batiste: To ask the Secretary of State for National Heritage what changes will be made to the cash limits or running costs limits for 1994-95 for which he has responsibility.

Mr. Brooke: Subject to parliamentary approval of the necessary revised estimate, the cash limit for class XI, vote 7—Department of National Heritage administration—will be reduced by £3,080,000 from £24,680,000 to £21,600,000. This results from the transfer of responsibility for the international passenger survey to the Central Statistical Office from the 1 April 1994.

In addition, the Department of National Heritage gross running costs limit will be reduced by £3,080,000 from £31,008,000 to £27,928,000.

DEFENCE

Army Manpower

Mr. Menzies Campbell: To ask the Secretary of State for Defence what has been the percentage reduction in British Army uniformed manpower strength since 1990.

Mr. Aitken: Between 1 April 1990 and 1 May 1994, the uniformed strength—trained and untrained personnel—of the Regular Army has reduced by approximately 20 per cent.

Navy Manpower

Mr. Menzies Campbell: To ask the Secretary of State for Defence what has been the percentage reduction in Royal Navy uniformed manpower strength since 1990.

Mr. Aitken: Between 1 April 1990 and 1 May 1994, the total uniformed strength—trained and untrained personnel—of the Royal Navy, including Royal Marines, has reduced by approximately 12 per cent.

DUCHY OF LANCASTER

Cash Limits

Mr. Burns: To ask the Chancellor of the Duchy of Lancaster what proposals he has to change the 1994-95 *(a)* cash limit and *(b)* running costs limits for the Office of Public Service and Science.

Mr. Waldegrave: Subject to parliamentary approval of the necessary revised estimate the cash limit for the Office of Public Service and Science, class XVIII, vote 1, will be decreased by £16,366,000 from £75,794,000 to £59,428,000 and the gross running cost limits will also be decreased by £15,745,000 from £95,751,000 to £80,006,000. The functions of the Offices of the Prime Minister, Government Chief Whip and Parliamentary Counsel have been transferred to the Cabinet Office, class XIX, vote 1. The net running cost limits for the Civil Service college has been decreased by £1,244,000 from £1,800,000 to £556,000.

The changes will not add to the planned total of public expenditure.

Science Budget

Mr. Burns: To ask the Chancellor of the Duchy of Lancaster what changes he proposes to the estimates class XVIII, vote 2—science.

Mr. Waldegrave: The cash limit for this vote is being reduced by £13,030,272 to £1,225,526,728. The reduction is the net effect of the following. A reduction to £13,685,272 in respect of that expenditure of the Biotechnology and Biological Sciences Research Council, which is being met from the receipts from the sale of the Plant Breeding Institute. An increase of £655,000 in respect of class 3 super-computing time, responsibilty for which is to transfer from the higher education funding councils for England, Wales and Scotland. The increase will be offset by transfers from class X, vote 2—education: higher and further education—of £542,000; class XIV, vote 17—Scotland and Forestry Commission: education, arts and libraries—of £79,000; and class XV, vote 4—Wales: training and education—of £34,000. The additional provision has been allocated to subhead A3—the Engineering and Physical Sciences Research Council.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Waldegrave: I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 14 June at column *371-72*.

PRIME MINISTER

Referendums

Mr. Gordon Prentice: To ask the Prime Minister what was the cost to public funds of the referendums on *(a)* membership of the European Community and *(b)* Scottish devolution.

The Prime Minister: The cost to public funds of the 1975 referendum on membership of the European Community was £6,100,000. The 1979 referendum on devolution for Scotland cost £820,500.

Finance

Mr. Whitney: To ask the Prime Minister what arrangements are being made to finance No. 10 Downing street, the Whips Offices, the Office of Parliamentary Counsel and the ceremonial branch.

The Prime Minister: Responsibility for No. 10, the Whips Offices, the Office of Parliamentary Counsel and the ceremonial branch has been transferred, within the Cabinet Office, from the Office of Public Service and Science vote to the other services vote, with effect from 1 April 1994.

Parliamentary approval of this transfer of expenditure will be sought in a summer supplementary estimate for the Cabinet Office other services vote, class XIX, vote 1. Pending that approval, urgent expenditure estimated at £7,365,000 will be met by repayable advances from the contingencies fund.

Cash Limits

Sir Cranley Onslow: To ask the Prime Minister what proposals he has to change the 1994-95 cash limit or running costs limit for the Cabinet Office other services vote.

The Prime Minister: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for Cabinet Office other services, class XIX, vote 1, will be increased by £16,366,000 from £27,015,000 to £43,381,000. At the same time the running costs limit will be increased by £15,467,000 from £26,295,000 to £41,762,000.

The increase reflects the transfer of certain administrative functions and provision from the Cabinet Office Office of Public Service and Science vote, class XVIII, vote 1, and will not therefore add to the planned total of public expenditure.

ENVIRONMENT

Research Budget

Mr. Straw: To ask the Secretary of State for the Environment if he will list the current projects included in his Department's research budget; and what proportion of his Department's research budget is spent on research to improve standard spending assessments.

Mr. Gummer: My Department is currently funding over 800 research projects. As the list of these projects runs to several pages, I will write to the hon. Member with a copy of the list.

It is not possible to provide an accurate estimate of the proportion of my Department's current research budget which will be spent on research to improve standard spending assessments until the research is commissioned, but it is not expected to exceed 0·05 per cent. in 1994-95.

Noise Legislation

Mr. Simon Hughes: To ask the Secretary of State for the Environment what plans he has to review current noise disturbance legislation.

Mr. Atkins: In 1990 an independent noise review was established by my Department to consider all forms of control over noise pollution. It made several useful recommendations relating to improvement of the legislation which were considered carefully. As a result provisions were introduced into the Environmental Protection Act 1990 to strengthen the existing statutory nuisance duties and powers to control noise from domestic, industrial and commercial premises. These powers have been further extended by the Noise and Statutory Nuisance Act 1993 to control noise from vehicles, machinery and equipment in the street. We continue to monitor the effectiveness of existing environmental noise legislation and are keen to ensure that it is used to its full effect.

My Department continues to discuss all aspects of noise pollution and disturbance, including the scope for further improving the operation of the relevant legislation, with other Departments and a wide range of professional and voluntary organisations concerned with these issues.

Water Meters

Mr. Alex Carlile: To ask the Secretary of State for the Environment if he will list the estimated average annual water bill per household *(a)* before water metering and *(b)* after water metering; and if he will make a statement.

Mr. Atkins: The average household unmeasured water supply bill in England and Wales in 1994-95 is £94 and for a metered water supply it is £97. The average household charge for combined water and sewerage services is £199 for both measured and unmeasured services.

Charges should not discriminate against metered customers. I am pleased that this year average measured household bills have fallen—by 1 per cent. for water and 3·8 per cent. for sewerage—ensuring a fairer balance in tariffs between measured and unmeasured customers.

Local Government Reorganisation

Mr. Tipping: To ask the Secretary of State for the Environment what plans he has to increase the planned level of total standard spending for 1995-96 to meet the transitional costs arising from local government reform in England.

Mr. Curry: For 1994-95 local authorities subject to reorganisation will be able to borrow to meet transitional costs. I expect that similar arrangements will apply for 1995-96 and subsequent years, and we shall take account of those arrangements in the local government finance settlement each year. The amount in 1995-96 will depend on decisions about areas to be reorganised which have yet to be made.

Rivers and Sites of Special Scientific Interest

Mrs. Helen Jackson: To ask the Secretary of State for the Environment if he will place in the Library a copy of the report on the cost benefit analysis for flow restoration to the River Darent approved by his Department in December 1993.

Mr. Atkins: Yes. Copies will be placed in the Library.

Mr. Clifton-Brown: To ask the Secretary of State for the Environment what advice he has given to the Director General of Water Services in respect of the cost implications to water services plcs of action to be taken on those sites of special scientific interest and rivers identified as being adversely affected by water abstraction.

Mr. Atkins: The Director General of Water Services has been advised of the proposals by Thames Water Utilities Ltd. to spend £6 million on the river Darent low flow alleviation scheme, and of proposals by Suffolk—now Essex—Water to spend £0·65 million in helping to restore water levels in Redgrave and Lopham fen.

Discussions are continuing on the cost implications of additional schemes for completion over the next few years.

Mr. Clifton-Brown: To ask the Secretary of State for the Environment what notification he has received from *(a)* the National Rivers Authority and *(b)* the statutory nature conservation agencies, regarding the investment necessary to remedy the adverse impacts of abstraction boreholes affecting rivers and sites of special scientific interest.

Mr. Atkins: The National Rivers Authority identified costs for remedial action for the River Darent of £7 million with an additional £5 million should subsequent testing under drought conditions indicate the need for further augmentation, and for Redgrave and Lopham fen, £2·8 million, approximately half of which is to be funded from the EC LIFE programme.

The National Rivers Authority reported on 40 rivers requiring remedial action in its report "Low Flows and Water Resources", published in March 1993.

Mr. Clifton-Brown: To ask the Secretary of State for the Environment if he will list those rivers and sites of special scientific interest that have suffered adverse impacts of water abstraction boreholes.

Mr. Atkins: The National Rivers Authority listed 40 sites requiring remedial action in its report "Low Flows and Water Resources", published in March 1993.

Biological Diversity

Mr. Fabricant: To ask the Secretary of State for the Environment what progress has been made towards ratifying the United Nations convention on biological diversity.

Mr. Atkins: The United Kingdom ratified the convention on biological diversity on 3 June 1994. Before ratifying we had already demonstrated our commitment to the aims of the convention, domestically and internationally, through the production of our biodiversity action plan and through the financial and other assistance we have made available to help developing countries preserve their biodiversity. We look forward to playing a constructive and positive role in the convention and its meetings.

Waste Imports and Exports

Mr. Streeter: To ask the Secretary of State for the Environment if he will provide policy guidance on waste imports and exports.

Mr. Atkins: Last month a new control regime on waste shipments was introduced. The EC Waste Shipments Regulation and the United Kingdom's associated Transfrontier Shipment of Waste Regulations 1994 came into effect on 6 May. This legislation enabled the United Kingdom to fulfil its obligations under the Basle convention, to which the United Kingdom became a party on 8 May.

These obligations are based on the principle of national self-sufficiency in waste disposal. This principle is the means by which countries can be encouraged to take responsibility for disposing of the waste they generate. Thereby they are encouraged to minimise wastes—especially hazardous wastes—and to reuse and recycle, and to pursue policies of sustainable development.

We must also have regard for other environmental responsibilities arising from our membership of the European Union and the global community. In implementing the Basle convention, we should not lose sight of these wider considerations.

As a developed country, with ample disposal facilities to meet our waste arisings, we ourselves will have no need to export wastes for final disposal in other countries. The EC regulation prohibits such exports to countries outside the EC and EFTA the European Free Trade Association. We shall go further by proposing a complete prohibition on such exports to all countries.

There is no equivalent case for a general ban on exports of wastes for recovery. But special considerations apply to the export of hazardous wastes for recovery in developing countries and countries in transition. At the second conference of the Basle convention in March, it was recognised that there is a high risk that such exports will not be managed in environmentally sound ways in the country of receipt. It was decided that, except in exceptional circumstances, trans-boundary movement of hazardous wastes from Organisation for Economic Co-operation and Development to non-OECD states for the purposes of recovery should be prohibited. In the Government's opinion, this decision has now taken effect.

Our policy towards imports is based on similar principles. In future, the presumption will be that wastes should not be imported for final disposal in this country. This applies both to landfill, either directly or indirectly, and to incineration, and also to disposal under the guise of recovery—so-called "sham recovery". However, imports for genuine recovery operations, including energy recovery, will continue to be allowed.

For most wastes, all other countries should now develop adequate final disposal facilities and there seems to be no reason to delay a prohibition of imports. There may, however, be special circumstances where imports of certain wastes for specialist disposal processes—and in particular for high temperature incineration—might be justified on wider environmental grounds for very limited periods and quantities. This would apply on a transitional and reducing basis where a country had not yet completed specialist disposal capacity or was dealing with a backlog inherited from a former communist regime in eastern Europe. We propose to develop strict criteria which would regulate any such continued imports. Our criteria would take account of the technical and environmental characteristics of the waste stream, and the circumstances of the exporting country. Except for small quantities particularly from developing countries, we would propose that the transitional period should not exceed three years at most.

We do not contemplate importing from countries in a position to develop their own disposal facilities, but taking no action to do so. That would be quite contrary to our policy towards self-sufficiency. Nor would we allow imports which could not be safely handled and managed within the existing disposal capacity in the United Kingdom.

We shall be making more detailed proposals on exports and imports in the form of a draft waste management plan. Associated with the plan will be technical guidance designed to assist competent authorities in making decisions. There will be a full opportunity for consultation on the draft plan and technical guidance before it is issued.

Cash Limits

Mr. John Greenway: To ask the Secretary of State for the Environment if he proposes to make any changes to the cash limits in 1994-95.

Mr. Gummer: Subject to parliamentary approval of the necessary revised estimate, the cash limit for class VII, vote 8—revenue support grant, payments of non-domestic rates, Valuation Office services, etc., England—will be reduced by £2,900,000 from £29,635,066,000 to £29,632,166,000. This comprises a reduction of £4,400,000 in provision for Valuation Office rating services and an offsetting increase of £1,500,000 for Valuation Office banding and valuation services. Some £1,550,000 of the savings will be used to support increased expenditure on class VII, vote 12—council tax transitional reduction grant, community charge grants, emergency financial assistance to local authorities, non-domestic rates outturn payments, etc., England. The remaining savings of £1,350,000 will be surrendered to the Consolidated Fund.

Subject to parliamentary approval of the necessary revised estimate, the cash limit for class VII, vote II—PSA Services—will be reduced by £25,000,000 from £123,693,000 to £98,693,000, and the net running cost limit on this vote will reduce by £25,000,000 from £123,293,000 to £98,293,000. The reduction reflects savings achieved in the residuary functions, and reductions in severance figures and secondee numbers arising out of most recent forecasts following the sales of the former PSA building management businesses.

In addition, and subject to parliamentary approval of the necessary supplementary estimate, the cash limit for class VII, vote 13—sale of PSA businesses—will be increased by £9,449,000 from £401,000 to £9,850,000. The increase will not constitute a claim on the reserve as it will be netted off the proceeds from the Government's privatisation programme. The provision is sought, as provided for in the sales agreements, to fund adjustments to cash assets following reviews of the completion statement of the PSA building management businesses post-sale, and to contribute to the costs incurred by the purchasers of both PSA projects and the building management businesses in making transferred staff redundant.

Increases on votes 8 and 12 will be offset by reductions in other cash-limited expenditure and will not therefore add to the planned total of public expenditure.

Energy Efficiency

Mrs. Peacock: To ask the Secretary of State for the Environment what progress has been made in preparing updated guidance for local authorities on energy efficiency in council housing in follow up to interim guidance published last year.

Sir George Young: I am pleased to inform the House that updated and consolidated guidance was published on 13 June. A copy of the guidance, entitled "Energy Efficiency in Council Housing", has been placed in the Library.

Improving energy efficiency in council housing brings benefits to tenants, landlords and the environment. Tenants benefit from warmer, healthier homes which are cheaper to heat. Landlords gain from lower maintenance and management costs. The environment benefits from reductions on carbon dioxide emissions.

Since last year, all local housing authorities have been expected to take account of energy efficiency in their housing strategies and investment programme submissions. Performance here is one of the factors taken into consideration in determining housing investment programme allocations.

The guidance, which draws on lessons from my Department's successful green house demonstration programme and the Energy Efficiency Office's best practice programme, provides practical assistance on how to go about developing an effective energy efficiency policy. Accompanying the main guidance is a series of guides providing further advice on key themes such as funding sources for energy efficiency work, tenant consultation and the benefits that can flow from integrated packages of measures.

Some authorities have been making great strides on energy efficiency. I welcome that. But much remains to be done not only to combat environmental problems but to maximise the scope for cost-effective energy efficiency action and getting added value from planned investment.

I look to authorities to translate this important guidance into action.

M25 (Service Area)

Mr. Shersby: To ask the Secretary of State for the Environment what is his policy towards the development of a motorway service area on green-belt land owned by Cape plc of Uxbridge and adjoining the M25 motorway; and if he will make a statement.

Mr. Gummer *[holding answer Friday 20 May 1994]:* The proposal referred to is that between junctions 15 and 16 of the M25 at Woodlands Park, near Iver. My right hon. Friend the Secretary of State for Transport has directed refusal of this application. There is also an article 14 direction in place restricting the grant of permission in respect of this development. I have received the representations of my hon. Friend on behalf of his constituents and as far as policy is concerned, I refer him to my answer of 18 May at column *507*.

AGRICULTURE, FISHERIES AND FOOD

Oslo and Paris Commissions

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what representations her Department has received from Parcom member states regarding the forthcoming 16th joint meeting of the Oslo and Paris Commissions.

Mr. Jack: None.

Overgrazing

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what representations she has received on the application of environmental conditions to livestock headage payment schemes; and if she will make a statement.

Mr. Jack: We received 40 responses to the consultation paper on the application of environmental conditions to livestock headage payment schemes which we issued on 29 March 1994, from a range of bodies including the main farming and environmental interests. The Minister of Agriculture, Fisheries and Food announced, on 10 June, that measures to prevent over-grazing similar to those already operating in the hill livestock compensatory allowance scheme would be introduced into the other livestock premium schemes when they are renewed. We have written to all those who responded to the paper to inform them of this decision.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what evaluation she has made of the National Farmers Union proposals for preventing over-grazing; and if she will make a statement.

Mr. Jack: The NFU received a detailed response to its proposals for preventing over-grazing from the Minister of Agriculture earlier this year.

On 10 June the Minister of Agriculture announced that measures to prevent over-grazing similar to those already operating in the hill livestock compensatory allowance scheme would be introduced into the other livestock premium schemes when they are renewed.

Public Consultation

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food in what circumstances it is her Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if she will arrange for her Department to do so in all cases in future.

Mr. Jack: It is commonplace for the Department, when issuing a public consultation document, to inform those consulted that their responses may be made public unless they explicitly ask for them to be kept confidential. This practice is being codified in departmental guidance to ensure that it is followed in all cases.

Nuclear Issues

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food (1) how the recently announced Department of Environment review of radioactive waste management policy will affect the position that the United Kingdom will take at the forthcoming 16th joint meeting of the Oslo and Paris Commissions;

(2) what position the United Kingdom will be taking at the forthcoming 16th joint meeting of the Oslo and Paris Commissions on proposals concerning nuclear issues; and if she will set out her reasons in each case.

Mr. Jack: I refer the hon. Member to the reply given by my hon. friend the Minister of State for the Environment and Countryside on 14 June, at column *337*.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Minister of Agriculture, Fisheries and Food how many job offers were reported by staff in her Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Jack: The table shows the number of job offers reported by staff in the Ministry of Agriculture, Fisheries and Food in each of the last 10 years. All but one of these reports resulted in an application to join the company concerned.

Number of job offers reported by MAFF staff 1984 to date

	Grade 3 and above	*Below grade 3*	*Concerned with procurement/ contract work*	*Concerned with other work*
1993	—	10	1	9
1992	—	8	1	7
1991	1	10	—	11
1990	2	12	—	14
1989	2	3	—	5
1988	3(1)[1]	6	—	9(1)[1]
1987	0	12	1	11
1986	6	12	—	18
1985	—	5	—	5
1984	—	5	—	5

Figures include job offers reported by staff for which application was not required under the rules.

[1] Non-executive director.

Fishing Vessels

Sir Geoffrey Pattie: To ask the Minister of Agriculture, Fisheries and Food if she plans to continue the decommissioning scheme for fishing vessels; and if she will make a statement.

Mr. Jack: On 14 December 1993, when I announced the suspension of the introduction of days-at-sea restrictions, I said that we would be reviewing the way forward for the other elements of the fisheries conservation package, in particular decommissioning. That review has now been completed and I am pleased to announce that the two further rounds of decommissioning, this year and in 1995-96, are to go ahead as planned. Of the total of £25 million for 1993-94 to 1995-96, £8·9 million will be made available this financial year. This includes an amount corresponding to the balance remaining from last year's scheme. I hope that a further significant reduction in fleet capacity will be achieved so contributing, with licence aggregation penalties, towards our Community effort reduction targets or multi-annual guidance programme. We shall be exploring further with the industry and with the Commission what other measures we might adopt to help us to achieve our MAGP targets. We are looking particularly at technical conservation measures and at possible changes to the licensing system, but these considerations need not delay progress on the decommissioning front.

We have always made it clear that we want the decommissioning scheme to provide real long-term benefits to the fishing industry. By enabling the pressure on fish stocks to be reduced the scheme can help fisheries conservation and improve fishing prospects for the future. But the scheme will not achieve this result if the remaining vessels increase their fishing effort and so undermine the impact of decommissioning. This would be unwelcome for both the fishing industry and for taxpayers who will want to see that the expenditure is effective and provides good value for money. So as decommissioning progresses we intend to monitor the fishing effort of the remaining fleet. If it increases, we shall have to take suitable effort control measures to deal with the situation. I hope the industry will collectively exercise restraint, and so make the use of such controls in the context of this scheme unnecessary.

The Fishing Vessels (Decommissioning) Scheme 1994 was laid before Parliament today. The rules of the scheme are broadly the same as under the 1993 decommissioning scheme, as I believe that the 1993 scheme was welcomed by most in the industry and successfully removed the maximum active capacity for the available funds. Vessel owners are invited to submit tenders for the amount of decommissioning grant for which they would be prepared to scrap their vessel and surrender its licence. Applications will be ranked in terms of pounds per vessel capacity unit. Eligibility criteria similar to those in the 1993 scheme will apply but the 1994 scheme will be focused on those vessels in respect of which full pressure stock licences have been issued. This means that decommissioning will remain widely accessible but will be targeted at those vessels fishing the stocks which are the most at risk.

To be eligible for decommissioning grant, vessels must meet the following main criteria:

(a) The vessel must be registered in the UK, be over 10 m in overall length and over 10 years old at the date of application;
(b) The vessel must have spent at least 100 days at sea on fishing trips in Community waters as a UK registered vessel during each of 1992 and 1993;
(c) A current full pressure stock licence must be held in respect of the vessel;
(d) The vessel must be seaworthy: vessels over 12 m in overall length must have either a valid Department of Transport safety certificate or a letter confirming the completion of a satisfactory survey at the time of application;
(e) It must not have been approved for decommissioning under the 1993 scheme and then withdrawn;
(f) Grants will be paid only when vessels are scrapped. The applicant must provide proof that the vessel has been removed from the register and has been scrapped within the European Community using a method approved by Ministers before any grant is paid;
(g) An application for a grant must be approved before the vessel is scrapped or the vessel will not be eligible for grant;
(h) Successful applicants must submit proof of scrapping and deregistration and surrender all licences in respect of the vessel before 1 March 1995; otherwise they lose their right to a decommissioning grant.

Application forms for decommissioning grants and the accompanying explanatory leaflets will be available in local fishery offices later this week. All fishermen who have expressed an interest or whose application was unsuccessful in the first round will be sent a leaflet and form. The deadline for receipt of applications is 15 August 1994.

International Whaling Commission

Sir Geoffrey Pattie: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the International Whaling Commission's 46th annual meeting.

Mr. Jack: The International Whaling Commission's 46th annual meeting was held at Puerto Vallarta, Mexico from 23-27 May. The United Kingdom delegation was composed of officials from the Ministry of Agriculture, Fisheries and Food, assisted by officials from the Foreign and Commonwealth Office and the Department of the Environment and representatives of environmental organisations.

The principal achievement of the meeting was the creation of a circumpolar Southern Ocean sanctuary for whales, within which commercial whaling will be banned indefinitely. The northern boundary of the sanctuary is 40 deg south except in the eastern Pacific, between 130 deg west and 50 deg west, where it is 60 deg south; in addition, below the existing Indian Ocean sanctuary the boundary is 55 deg south, the southern boundary of that sanctuary, so that the two sanctuaries do not overlap.

The new sanctuary will cover the main feeding grounds of all southern ocean baleen whales, including those populations of fin and sei whales that feed between 60 deg south and 40 deg south of the south Atlantic and western Pacific. There are few records of whale activity in the same latitudes in the eastern Pacific, which for this reason fall outside the sanctuary.

The creation of a Southern Ocean sanctuary represents a major step forward for the conservation of whales. It ensures that should the current moratorium on commercial whaling ever be lifted, the whale stocks in the Southern Ocean will remain protected. I am pleased to say that the United Kingdom delegation played a prominent role in devising the proposal which was ultimately adopted.

At the meeting, we restated the United Kingdom's continuing strong support for the moratorium. We accordingly voted against a request by Japan for an interim quota of 50 minke whales, to be taken by traditional whaling communities. This proposal was defeated and I am pleased to report that the moratorium remains intact.

Some progress was made on the revised management procedure, a key element in the proposed revised management scheme. The IWC's scientific committee reported that it had completed its work on the RMP, which it recommended for adoption. This was consistent with the remit it was given, when the moratorium was agreed, to devise new management procedures. In response to this recommendation, a resolution was adopted accepting that the scientific committee's work on the RMP completes the main scientific component in the development of the RMS, but making it clear that the RMP cannot be formally adopted in advance of the RMS. The resolution also emphasises that nothing it contains justifies any activity that is contrary to the moratorium.

The United Kingdom played an active role in the preparation of this resolution, which meets our own key requirements. In particular, it states clearly that the RMP will not be adopted in advance of the RMS and sets out the elements that will have to be satisfactorily included in the RMS before it can be considered for adoption. A good deal of work on these will be required. In this context, we attach particular importance to the securing of a fully effective, enforceable and internationally credible inspection and observation scheme that would ensure that any whaling operations in the future are properly controlled. Without such measures, it would not be possible for the United Kingdom to support any form of RMS.

We once again reaffirmed the importance we attached to ensuring that any whales taken in whaling operations are killed humanely. Together with New Zealand, we secured the adoption of a resolution criticising the use of the electric lance as a method of secondary killing. This drew on new research which strongly suggests that the electric lance is both ineffective and cruel. The resolution calls on Governments using this technique to develop alternative methods of secondary killing and requests the IWC to look into the matter again next year, in the light of the advice of the forthcoming workshop on humane killing. The meeting also agreed the terms of reference we proposed for this workshop, which will meet immediately before next year's annual meeting.

Last year, United Kingdom proposals on whale watching were accepted by the IWC. These led to the production of a useful report on the economic importance of whale watching. In the light of this report, the United Kingdom was able to secure support for a further proposal, which was adopted by consensus, requiring the IWC and its scientific committee to provide advice to national

Governments on whale watching and to keep developments under review. This will ensure that the IWC has a permanent role to play in this expanding new industry.

It was agreed that two scientific workshops on environmental threats, dealing with the potential effects of pollution and of climate change, should be held over the next two years. We took a prominent role in the discussion of these issues in the scientific committee, and helped promote a resolution underlining the importance that the IWC attaches to the impact on whale stocks.

During the meeting, the United Kingdom delegation expressed concern about reports of illegal international trade in whale meat, and supported a successful resolution calling on all members to ensure that existing restrictions on trade in whale meat and whale products were strictly enforced and asking Governments to report all attempted evasions to the IWC.

The United Kingdom delegation also took the opportunity to criticise strongly Norway's decision to resume commercial whaling and to urge the Norwegian Government to reconsider. We were supported by a number of other delegations.

Overall, this was a very successful meeting for the United Kingdom. We achieved all our main objectives and made useful progress on a range of issues. I believe that we are now well placed to make further progress at the IWC's 47th annual meeting in Dublin next year.

The IWC remains the only effective world forum for the discussion of whaling issues; it continues to operate as a result of those countries who wish to remain its members.

EMPLOYMENT

Actively-seeking-employment Rule

Ms Short: To ask the Secretary of State for Employment how many *(a)* decisions, *(b)* disallowances and *(c)* warning letters were issued in each region and Great Britain as a whole in each quarter since April 1990 in respect of actively seeking employment; and if he will make a statement.

Mr. Michael Forsyth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. Fogden to Ms Clare Short, dated 15 June 1994:

The Secretary of State has asked me to reply to your question about the number of claimants who have been issued with warning letters for not actively seeking employment; the number of decisions on actively seeking employment; and the number of disallowances for actively seeking employment in each quarter since April 1990.

The statistics you asked for on adjudication officers' decisions on actively seeking employment for each region and for Great Britain as a whole are contained in the quarterly summary entitled "Analysis of Adjudication Officers' Decisions". Copies are held in the Library of the House. The latest available information relates to the quarter ending December 1993.

I enclose a table showing by Region, and for Great Britain, the number of warning letters issued to clients whose worksearch activity was not considered to be adequate. This information is available for the period up to March 1994.

I hope this is helpful.

Warning Letters Issued by Region and Nationally for each quarter from April 1990 to March 1992

	April to June 1990	*July to September 1990*	*October to December 1990*	*January to March 10*	*April to June 1991*	*July to September 1991*	*October to December 1991*	*January to March 1991*
Northern	789	731	695	394	365	697	438	403
Yorks and Humberside	714	476	637	398	403	394	359	312
East Midlands and Eastern	463	447	453	338	337	272	225	242
London and South Eastern	3,024	2,941	2,339	1,895	1,484	1,830	1,653	1,839
South Western	530	716	533	400	371	276	273	354
Wales	688	464	386	311	309	185	232	206
West Midlands	1,354	1,015	853	634	561	707	606	567
North Western	1,435	1,521	1,247	1,032	1,123	1,061	1,382	1,671
Scotland	2,234	2,149	1,623	1,001	1,022	1,134	794	1,010
Great Britain	11,231	10,730	8,766	6,403	5,975	6,556	5,962	6,604

Warning Letters Issued by Region and Nationally for each quarter from April 1992 to March 1994

	April to June 1992	*July to September 1992*	*October to December 1992*	*January to March 1993*	*April to June 1993*	*July to September 1993*	*October to December 1993*	*January to March 1994*
Northern	300	290	163	185	124	142	164	251
Yorks and Humberside	282	292	166	163	140	107	82	83
East Midlands and Eastern	203	202	78	98	160	139	121	35
London and South Eastern	2,126	2,250	1,758	1,515	1,007	935	682	692
South Western	406	388	271	349	228	369	390	555
Wales	233	183	71	72	41	31	38	69
West Midlands	619	486	235	190	153	144	170	261
North Western	1,678	2,006	1,510	1,057	601	344	206	208
Scotland	887	612	337	363	217	98	44	76
Great Britain	6,734	6,709	4,589	3,992	2,671	2,309	1,897	2,230

HM Inspectorate of Mines

Mr. Hardy: To ask the Secretary of State for Employment what action was taken by Her Majesty's inspectorate of mines in regard to the under-reporting of dust counts in British mines which was referred to the inspectorate earlier this year; and when the inspectorate was first aware of the under-reporting.

Mr. Michael Forsyth *[pursuant to his reply of 4 November 1993]:* I wish to announce that the report of the investigation by the Health and Safety Executive's inspectorate of mines into respirable dust sampling at British Coal Corporation mines is released today.

The investigation was undertaken following allegations of widespread tampering with dust sampling equipment and expressions of concern about discrepancies between the results of routine statutory sampling of respirable dust and check sampling undertaken by BCC.

The mines inspectorate has thoroughly investigated these allegations but has found no evidence to substantiate them. It has also reviewed the procedures for monitoring dust levels.

The report identifies weaknesses in the integrity of the sampling instruments and in the arrangements for their security while stored at individual mines. It therefore makes a number of sensible recommendations with the aim of ensuring long-term confidence in the dust sampling programme at mines. These include the proofing of sampling instruments against tampering and improved, more secure, arrangements for the storage of instruments at mine sites. The report also recommends that consideration should be given to the introduction of independent dust sampling and audit procedures.

I have today sent a copy of the report to the hon. Member for Wentworth (Mr. Hardy) and for Bolsover (Mr. Skinner) who wrote to me on the matter. Copies have also been placed in the Library.

SOCIAL SECURITY

Child Support Agency

Dr. Wright: To ask the Secretary of State for Social Security (1) what is the Child Support Agency's target time for dealing with complaints; and how many complaints have been dealt with in that time;

(2) how many complaints have been logged by the Child Support Agency computerised complaints monitoring system;

(3) how many complaints have been received by the Child Support Agency since its inception;

(4) what form of redress is available to the complainant if a complaint to the Child Support Agency is not dealt with in the time stipulated for a reply;

(5) whether he will publish the results of the review into the complaints procedures of the Child Support Agency.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Dr. Tony Wright, dated 15 June 1994:

I am replying to your recent Parliamentary Questions to the Secretary of State for Social Security about customer complaints received by the Child Support Agency.

Your have asked for details of the number of such complaints received, the Agency's target time for dealing with complaints and how many have been dealt with in that time. The Agency's Charter contains a stated aim to acknowledge written complaints within two days of receipt and respond to complaints within 10 working days. From 5 April to 31 March 1994, a total of 10,886 complaints were recorded and, of these, 4,910 were cleared within 10 working days.

The first year of the Agency's operations has stimulated a great deal of activity and I am aware that our performance in this area falls below the standard we aim to provide for clients. As part of the normal management process we are continually examining ways in which our service to clients can be improved.

The Agency's computerised complaints monitoring system is under development and it is planned to introduce it later this year.

Your ask about the redress available where a client is dissatisfied with the way a complaint had been handled. The Agency's Charter explains that where something has gone wrong, the Agency will be happy to apologise, give an explanation and put the matter right. The client can speak or write to the Customer Services Manager in the centre dealing with the case. If they are not satisfied they can write directly to the manager of the centre or ultimately, to the Chief Executive.

The Agency has conducted an internal review of its complaints monitoring procedures as part of an ongoing arrangement to examine various management issues. There are no plans to publish a report.

I hope this is helpful.

War Pensions

Dr. Wright: To ask the Secretary of State for Social Security if he will give details of the war pensions trial complaints system; on what date the system went into operation; and how many complaints have been received and processed to date.

Mr. Hague: This is a matter for Mr. Peter Mathison, the chief executive of the War Pensions Agency. He will write to the hon. Member.

Letter from Peter Mathison to Dr. Tony Wright, dated 14 June 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the War Pensions trial complaints system.

The War Pensions Agency has a well established complaints system operating throughout the Agency. This system ensures that complaints are dealt with in accordance with our Charter Standards.

The Agency was launched on 1 April 1994 and since that date there has existed a complaints monitoring system within the War Pensions Parliamentary Group. This system has now been extended to include the War Pensions Customer Services, War Pensions Helpline and War Pensioners' Welfare Service. It is being monitored by the War Pensions Customer Services Manager to assess the suitability for use by the whole of the Agency. It will be evaluated in the autumn of this year.

A total of 186 complaints have been received by the Parliamentary Group in our first month of operation as an Agency.

I hope you find my reply helpful.

Maintenance Assessments

Mr. Ingram: To ask the Secretary of State for Social Security (1) how many absent parents have had their maintenance assessments reduced as a result of the regulatory changes introduced on 7 February; and what has been the average reduction per week to date;

(2) how many absent parents have had their maintenance assessments reduced as a result of changes to the parent-with-care allowance introduced on 7 February; and what has been the average reduction per week to date.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Ingram, dated 15 June 1994:

I am replying to your recent Parliamentary Questions to the Secretary of State for Social Security about the effect of the changes to Child Support introduced on 7 February 1994.

The total number of cases where a reduction in the maintenance assessment occurred due to the policy changes was 43,800 which includes 4,000 cases where liability was not reduced at the time as the change was below £1. In these cases the change would be taken into account at the next review of circumstances.

Information on the average amount by which the assessment reduced is available for the 93 per cent. of cases that were reassessed automatically by the computer system. In these cases the average reduction was £9·00 a week. Information is not available for the remaining cases which were reassessed clerically.

Specific information is not yet available on the effect of the changes to parent with care allowances. Arrangements are being made to obtain this information.

I hope that you find this reply helpful.

Benefits Agency (Complaints)

Dr. Wright: To ask the Secretary of State for Social Security on what date the OTIS—"Opportunity to Improve Service"—computerised system for complaints operated by the Benefits Agency was inaugurated; how many complaints have been logged from that date; what percentage of those complaints and suggestions have resulted in a change to the agency's policy or procedure; and what plans there are for such a system to be adopted by other agencies.

Mr. Burt: The operation of the OTIS computerised system in the Benefits Agency is the responsibility of Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Dr. Tony Wright, dated 14 June 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the OTIS computerised system for complaints in the Benefits Agency and what plans there are for the system to be adopted by other agencies.

(OTIS) Opportunity to Improve Service was introduced in Newcastle Benefits Directorate on 1 July 1991, initially on a pilot basis. It proved successful and is now in operation in Newcastle Pensions Directorate, Overseas Benefits Directorate and Child Benefit Centre but is not used throughout the Agency.

Some Districts are using IT systems to record and analyse customer feedback. However, many offices do not receive enough complaints to justify the need to adopt an IT system for analysing customer feedback. The Benefits Agency is in the process of producing a "good practice guide" to be issued to all business units to ensure that their local systems are operating to full potential.

The Information available on complaints logged on OTIS is 1,404 for Overseas Benefits Directorate for the period 1 July 1991 to 31 March 1994, 1,906 for Newcastle Pensions Directorate for the same period, and 5,499 for Child Benefit Centre for the period 2 January 1992 to 25 May 1994.

As OTIS is used to identify trends rather than monitor individual complaints or suggestions, statistics comparing the number of comments with any change in procedure are not kept.

I understand from the other DSS Agencies that they have no plans to introduce OTIS but some are introducing IT systems to meet their own business needs.

I hope you find this reply helpful.

Invalidity Benefit

Mr. Hanson: To ask the Secretary of State for Social Security how many invalidity benefit awards have been *(a)* reviewed, *(b)* disallowed following review and *(c)* reinstated on appeal during each of the last 12 months in the Wrexham Maelor and Mid Wales district and North Wales Coast district of the Benefits Agency.

Mr. Scott: This is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Michael Bichard to Mr. David Hanson, dated 14 June 1994:

The Secretary of State has asked me to reply to your recent Parliamentary Question about invalidity Benefit (IVB) awards in the Mid Wales and Maelor, and North Wales Coast Districts.

The information is available in the format requested, and has been provided in appendices 1 and 2.

The Mid Wales and Maelor District of the Benefits Agency comprises Wrexham District Office (DO) and Newtown Branch Office (BO). The North Wales Coast District comprises Rhyl DO, and Colwyn Bay and Deeside BO's.

The statistics provided are taken from clerical and computer records maintained in the Districts' offices.

I hope you find this reply helpful.

Appendix 1

Mid Wales and Maelor district

Month	*IVB awards reviewed*	*IVB awards disallowed*	*IVB awards reinstated on appeal*
May 1993	45	28	2
June 1993	87	36	—
July 1993	42	25	—
August 1993	41	15	1
September 1993	54	29	—
October 1993	38	20	1
November 1993	43	24	1
December 1993	26	22	1
January 1994	68	30	—
February 1994	78	33	1
March 1994	176	56	5
April 1994	150	61	4

Appendix 2

North Wales coast

Month	*IVB awards reviewed*	*IVB awards disallowed*	*IVB awards reinstated on appeal*
May 1993	75	34	1
June 1993	96	60	1
July 1993	118	62	2
August 1993	93	64	1
September 1993	119	57	1
October 1993	220	105	4
November 1993	113	69	4
December 1993	95	56	2
January 1994	93	48	6
February 1994	145	58	1
March 1994	183	79	1
April 1994	182	98	2

Social Fund

Mr. Tipping: To ask the Secretary of State for Social Security what is the average length of time taken to decide an application for assistance from the social fund nationally; and what is the average length of time taken at *(a)* East Nottinghamshire, *(b)* North Nottinghamshire and *(c)* West Nottinghamshire Benefits Agency offices.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Mr. Paddy Tipping, dated 14 June 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the average time taken to decide a Social Fund (SF) application nationally and in the Benefits Agency's (BA) East Nottinghamshire, North Nottinghamshire, and West Nottinghamshire Districts.

The clearance of SF applications is measured in terms of "x" per cent. of applications cleared in "y" days, and not as an average of the time to decide each individual application. You will be aware that the SF comprises of Community Care Grants (CCG), Budgeting Loans (BL), Crisis Loans (CL), Cold Weather Payments (CWP), Funeral Payments (FP) and Maternity Payments (MP). Each element of the SF has separate and different "x in y" primary and secondary targets, with the exception of CWPs. For CWPs, eligible customers are identified and paid automatically and do not have to make a formal claim.

I have provided at Annex A the national and the three Nottinghamshire districts' details for the month of April 1994 (latest available data).

I hope you find this reply helpful.

Annex A

Social Fund clearance time performance nationally and for the Benefits Agency districts of East, North and West Notting[illegible]hire for the month of April 1994 (latest available figures)

	National	*East Notts*	*North Notts*	*West Notts*
CCG				
per cent. in 7 days	82	83	88	70
per cent. in 20 days	98	97	98	98
BL				
per cent. in 6 days	78	79	85	71
per cent. in 20 days	98	98	99	98
CL				
per cent. in 1 day	97	94	96	94
per cent. in 2 days	98	98	98	97
FP				
per cent. in 12 days	71	74	73	74
per cent. in 35 days	96	95	91	98
MP				
per cent. in 5 days	74	83	89	77
per cent. in 20 days	97	97	99	98

Computerised Benefit Calculation Models

Mr. Donohoe: To ask the Secretary of State for Social Security (1) if he will make a statement on the use of computerised benefit calculation models by his Department; and what policy applies to claimants wishing to obtain access to these systems;

(2) how much his Department has spent on introducing computerised benefit calculation models throughout the Benefits Agency network; how many terminals are currently operational; and if he will list the Benefits Agency facilities where access to these terminals is available to claimants.

Mr. Burt: The administration of benefits is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Michael Bichard to Mr. Brian Donohue, dated 14 June 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking about (i) the use of computerised benefit calculation models by his Department; and what policy applies to claimants wishing to obtain access to these systems and (ii) how much his Department has spent on introducing computerised benefit calculation models throughout the Benefits Agency network; how many terminals are currently operational; and if he will list the facilities where access to these terminals is available to claimants.

The Benefits Agency provides a benefit advice and information service from all its District Offices and also from a number of telephone enquiry lines. Staff are supported in this task by a number of tools, including the recently introduced Integrated Benefits Information System, a computerised system which includes the facility to produce an estimate of benefit entitlement during an interview with a customer.

The Agency is currently conducting research to determine whether customers would welcome self service facilities to produce benefit calculations, given the large volume of data entry required to produce meaningful estimates of benefit entitlement. Meanwhile there are no such facilities available.

There are, however, computer programmes developed by the Agency which provide general information about benefits such as condition of entitlement, how to claim, rates, leaflets etc. The most common of these is the "West Country Social Security Guide" which can be installed on machines suitable for customer use, where they are available. Such machines are installed in both BA locations and other outlets provided by Local Authorities, Social and Welfare organisations and Citizen's Advice Bureaux, amongst others.

There are at least 1,100 terminals running the automated guide. The precise number of these suitable for direct public access is unknown.

Finally, the eventual cost of developing, implementing and supporting the full IBIS toolset is estimated to be £3·8 million.

I hope you find this reply helpful.

Incapacity Benefit

Mr. Alex Carlile: To ask the Secretary of State for Social Security what percentage of carers currently entitled to *(a)* invalidity benefit and *(b)* unemployment benefit will be eligible for the new incapacity benefit; and if he will make a statement.

Mr. Scott: The information is not available.

EDUCATION

Clinical Academic Staff

Dr. Moonie: To ask the Secretary of State for Education (1) what assessment he has made of the effects of the delay in translating the Doctors' and Dentists' Review Body award to clinical academic staff on the latter's morale;

(2) if he will make a statement on the steps taken since October 1991 to find a long-term solution to the annual problem of implementing the translation of the NHS pay award to clinical academic staff;

(3) what steps he is taking to ensure that young doctors entering academic medicine will be assured of sufficient, well structured, and appropriately rewarded career posts;

(4) if he will give an assurance to the Committee of Vice-Chancellors and Principals that he will meet in full the difference between the cost of clinical and non-clinical pay awards for 1994;

(5) if he will make a statement on the process of implementing the 1994 doctors' pay award for clinical academic staff.

Mr. Boswell: The negotiation of pay awards for clinical academic staff is a matter for the university employers, not for my right hon. Friend. Universities will be required to fund pay awards for clinical and non-clinical academic staff in 1994 from within their existing resources. It is also for the university employers to decide how best to recruit, retain and motivate their clinical academic staff.

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the Secretary of State for Education what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Mr. Forth: No special instructions are issued to the custody guards for dealing with incidents arising from either category. The guards' operational standing orders direct them to notify the local police where the actions of any individuals in bordering public streets are judged to pose a threat to the Department's perimeter security. No problems of this nature have arisen in the last three months.

Suspensions and Expulsions

Mr. Morley: To ask the Secretary of State for Education what action he is taking to reduce the number of children suspended or expelled from schools in *(a)* Humberside and *(b)* England.

Mr. Forth: Head teachers are responsible for securing discipline in their schools and for exercising the power of exclusion. The Department has recently issued guidance to all schools aimed at promoting consistent practice in the use of exclusion and ensuring that permanent exclusion is used as a last resort. Changes in the law governing exclusions have been made in the Education Act 1993, which abolishes the category of indefinite exclusion; places a limit of 15 school days in any one term on fixed-term exclusions; and enables the Secretary of State to place time limits on the operation of exclusion procedures, to reduce to a minimum the time spent by an excluded pupil out of school. These provisions are intended to come into effect on 1 September.

Lancashire Colleges

Mr. Pike: To ask the Secretary of State for Education what was the total funding given to each college and sixth form tertiary college in Lancashire for the years 1992-93 and 1993-94; and when the figure for the year 1[illegible]4-95 will be available.

Mr. Boswell: The Further Education Funding Council's total recurrent funding allocations to colleges in Lancashire for 1993-94, covering the 16-month period 1 April 1993 to 31 July 1994, and those for the 12 months ending 31 July 1995, are given in the table.

There are no comparable figures available for 1992-93, when the colleges were funded by their local authority using different bases.

Recurrent funding allocations: FE institutions in Lancashire

	1994-95 12 months £	*1993-94 16 months* £
General FE		
Accrington and Rossendale	7,761,029	9,467,703
Blackburn	12,380,111	15,215,054
Blackpool and The Fylde	11,949,009	14,459,346
Burnley	5,057,134	6,457,022
Lancaster and Morecambe	5,082,424	5,987,001
Nelson and Colne	5,241,985	6,484,765
Preston	11,835,929	13,667,024
Runshaw	6,676,909	7,500,239
Skelmersdale	4,381,961	5,375,412
	70,366,491	84,613,566
Agricultural Colleges		
Myerscough	2,767,223	3,997,557
	73,133,714	88,611,123
Sixth Form Colleges		
Blackpool	3,136,722	4,110,269
Cardinal Newman	2,871,029	3,661,167
St. Mary's	2,065,092	2,877,776
	8,072,843	10,649,212
Total	81,206,557	99,260,335

Cash Limits

Mr. Pawsey: To ask the Secretary of State for Education what changes he plans to announce to cash limits on votes within his responsibility for 1994-95.

Mr. Patten: Subject to parliamentary approval of the necessary revised estimates, the cash limits for class X, vote 1—schools, research and miscellaneous services—and for vote 2—higher and further education—will be reduced as follows:

Class and vote	*Current cash limit* £	*Change* £	*Revised cash limit* £
X.1	800,328,000	– 59,000	800,269,000
X.2	5,787,121,000	– 114,328,000	5,672,793,000

The reduction of £59,000 on class X, vote 1 represents a transfer to class X, vote 2 for increased provision for grants to further education establishments for the education of the children of travellers, refugees and displaced persons.

The reduction of £114,328,000 on class X, vote 2 is the net effect of a transfer of £113,600,000 to class X, vote 3 to increase provision for grant in aid to the Further Education Funding Council for student number-related payments; transfers from provision for grant in aid to the Higher Education Funding Council of £245,000 to the Welsh Office for payment to the Higher Education Funding Council for Wales in respect of students on diploma in social work courses in Wales, and £542,000 to the Office of Science and Technology as the council's contribution towards class 3—super-computing time; and a transfer from class X, vote 1 of £59,000 for additional provision for grants to further education establishments for the education of children of travellers, refugees and displaced persons.

Science and Mathematics

Mr. Dalyell: To ask the Secretary of State for Education when he expects to answer the responses to his consultation paper on the supply and demand of newly qualified young people in science and mathematics; and if he will make a statement.

Mr. Boswell: The consultation paper invited responses by 30 June. We shall consider what further action to take in the light of those responses.

NORTHERN IRELAND

Specialists' Waiting Lists

Mr. Blunkett: To ask the Secretary of State for Northern Ireland how many people not on waiting lists for treatment were waiting to see a specialist in the national health service at the end of March.

Mr. Ancram: There were 62,862 people waiting for their first out-patient appointment in Northern Ireland at 31 March 1994.

"Making Belfast Work"

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland, what evaluation has been carried out of projects for which "Making Belfast Work" money has been provided in further education projects in inner Belfast in each of the last four years.

Mr. Ancram: Since the "Making Belfast Work" initiative was introduced in 1988, all further education projects have been evaluated by the Department's inspectorate.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how much has been spent on further education in inner Belfast through the "Making Belfast Work" programme in each of the last four years; and on which projects the money has been spent.

Mr. Ancram: The information is as follows:

£000's

Project	*1990-91*	*1991-92*	*Year [1]* *1992-93*	*1993-94*	*Total*
Whiterock FE centre	672	1,263	1,419	1,175	4,529
Shankill FE centre	468	267	333	341	1,409
Dunlewey St FE centre	—	—	146	143	289
Total	—	—	—	—	6,227

[1] Relates to financial years.

HEALTH

Staffing Levels

Mr. Redmond: To ask the Secretary of State for Health if she will list by regional health authority changes in staff numbers in 1993; and, of these, how many were nurses.

Dr. Mawhinney: The information requested is not available.

Hospital Consultant Posts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 9 May, *Official Report*, column 2, on vacant hospital consultancies, how many consultant posts were vacant in each region on 30 September 1992.

Dr. Mawhinney: The information is shown in the table. This indicates consultant vacancies notified to the Department as at 30 September 1992. As a snapshot of vacancies on a single date they may not fairly reflect the trend for the number of vacancies over the year as a whole.

Hospital medical consultant vacant posts by Regional Health Authority 30 September 1992—Whole-time equivalent

	Number[1]
England	550
Northern	30
Yorkshire	50
Trent	80
East Anglian	20
North West Thames	20
North East Thames	50
South East Thames	10
South West Thames	30
Wessex	10
Oxford	[2]—
South Western	40
West Midlands	110
Mersey	20
North Western	60
Special health authorities	10

[1] Figures are rounded to the nearest 10; regional figures do not sum to the England figure because of rounding.

[2] Less than five.

Drugs Advisory Committee

Mr. Gareth Wardell: To ask the Secretary of State for Health if she will place in the Library a list of the current members of the national health service drugs advisory committee, together with a copy of its annual report and information on the place and frequency of its meetings, indicating whether such meetings are open to the public.

Dr. Mawhinney: I refer the hon. Member to the reply that I gave to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 28 February at cols *605-6*. The advisory committee on national health service drugs holds meetings as necessary to fulfil its role of advising United Kingdom Health Ministers about the composition of schedules 10 and 11 of the NHS (General Medical Services) Regulations 1992: The committee does not publish an annual report. Meetings are not open to the public.

Midwifery

Ms Lynne: To ask the Secretary of State for Health what is her policy on an autonomous midwifery profession.

Mr. Sackville: The Government recognise that midwives are educated and trained to take full care of women during the antenatal, intrapartum and post-natal period, referring to a doctor if there are any deviations from the normal. "Changing Childbirth", the report of the expert group, fully supports this ethos and the national health service is working towards the implementation of the report's recommendations within a five year time-scale.

Electro-convulsive Therapy

Mr. Alex Carlile: To ask the Secretary of State for Health if she will make it her policy to ban electro-convulsive treatment on patients under the age of 18 years; and if she will make a statement.

Mr. Bowis: I refer the hon. Member to the reply that I gave to the hon. Member for Newcastle-under-Lyme (Mrs. Golding) on 17 February at col. *926*.

Sight Tests

Ms Primarolo: To ask the Secretary of State for Health how many sight tests were carried out in each of the last five years.

Dr. Mawhinney: The numbers of national health service sight tests paid for in the last five financial years for which figures are available in England are shown in the table. Information for 1993-94 is not yet available.

Number of NHS sight tests[1] paid for by financial year

England

Year	*Number*
[2]1989-90	5,279,750
[2]1990-91	4,153,660
1991-92	4,979,420
1992-93	5,527,590

[1] The number of private sight tests is not collected.

[2] From 1 April 1989, NHS sight tests were restricted to certain eligible groups in the population. The figures for 1989-90 included 1·82 million sight tests paid for in 1989-90 but conducted in 1988-89 under the previous scheme. The remaining 4·22 million were conducted and paid for in 1989-90 which do not constitute a full 12 months of the new scheme. The figures for 1990-91 which do represent 12 months under the new scheme are not therefore directly comparable with those for 1989-90.

Pay Settlements

Ms Primarolo: To ask the Secretary of State for Health what are the percentage increases in the pay settlements or offers for this current year to doctors, dentists, pharmacists and optometrists.

Dr. Mawhinney: Hospital and community health service doctors and dentists have been awarded a 3 per cent. increase in salaries. General medical practitioners have been awarded a 3 per cent. increase in the average net intended income and a 1·4 per cent. increase in their expenses provisions. General dental practitioners have been awarded a 3 per cent. increase in the gross fee for each item of service and capitation payment. Hospital pharmacists have been offered 1·75 per cent. and negotiations are continuing. No offer has yet been made to optometrists whose claim was received on 25 May.

Waiting Times

Ms Primarolo: To ask the Secretary of State for Health, (1) pursuant to her answer of 11 May, *Official Report*, column *157*, what is the total cost of reducing the waiting list so that *(a)* no one waits more than three months for hospital treatment and *(b)* the average waiting time is reduced to two months;

(2) pursuant to her answer of 21 April, *Official Report*, column *668*, what is the total cost of providing an out-patient appointment to all patients within *(a)* six weeks and *(b)* three months on referral by a general practitioner.

Dr. Mawhinney: This information could be provided only at disproportionate cost.

Administrative Staff

Ms Primarolo: To ask the Secretary of State for Health what is her estimate of the effect of the change in number of managers, administration and clerical staff in the NHS since 1989-90.

Dr. Mawhinney: The national health service needs good managers. As part of the reforms we have deliberately strengthened NHS management, particularly the finance and personnel functions, to provide the quality and number of managers needed to run a £32.2 billion organisation which employs over 900,000 people. The results speak for themselves. For every 100 patients treated in 1989-90 we expect to treat about 121 this year. Average in-patient waiting times have been reduced from nine months to five months. NHS managers deserve credit for their part in these achievements. We are determined to maximise the proportion of NHS expenditure devoted to direct patient care and have recently brought forward proposals to further streamline the central management of the NHS.

Nurses and Midwives

Ms Primarolo: To ask the Secretary of State for Health how many whole-time equivalent NHS nursing and midwifery staff were employed on each grade and pay point of the clinical grades, educational grades, and senior nursing and midwifery pay spine in 1990, 1991, 1992 and 1993, broken down by ethnic groups.

Mr. Sackville: This information is not available centrally.

Respite and Continuing Care Beds

Ms Primarolo: To ask the Secretary of State for Health how many beds in each health authority are available for *(a)* respite care and *(b)* continuing care.

Mr. Bowis: Information collected centrally on numbers of beds does not include the classifications "respite care" and "continuing care". Information on national health service beds in England, classified by ward type, is published in "Bed availability for England (Financial year 1992-93)", a copy of which is available in the Library.

Ms Primarolo: To ask the Secretary of State for Health what plans she has to impose an obligation on each district health authority to provide *(a)* respite care beds for Alzheimer's disease sufferers and *(b)* continuing care beds.

Mr. Bowis: Authorities should have a comprehensive range of services available to meet the various needs of those suffering from Alzheimer's disease.

Ms Primarolo: To ask the Secretary of State for Health if she will list each health authority which does not provide psychogeriatric continuing care beds; and if she will make a statement.

Mr. Bowis: It is a matter for local purchasers to determine the level and type of services purchased for their local populations in the light of local circumstances, resources and clinical practice.

Consultants

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 28 April, *Official Report*, column *307*, how many hospital consultant posts have been vacant, by specialty, in each of the last five years for which figures are available.

Dr. Mawhinney *[pursuant to his reply, 9 May 1994, c. 76]:* I regret that there were inaccuracies in the 1991 and 1992 data.

The correct figures are given in the table.

Vacant hospital consultant posts by specialty group
England—30 September 1988-1992

Specialty group	*1988*	*1989*	*1990*	*1991*	*1992*
General medicine group	133·4	119·7	129·2	92·7	118·1
Accident and emergency	17·0	15·0	18·4	14·4	19·6
Surgical group	110·5	88·2	135·3	87·1	90·0
Obstetrics and gynaecology	25·0	17·9	23·4	18·0	23·0
Anaesthetics	100·2	70·3	87·9	50·3	88·0
Radiology group	38·3	34·6	33·9	18·8	21·9
Radiotherapy	6.7	4·2	7·2	6·0	5·0
Pathology group	70·3	39·0	49·9	36·6	23·4
Psychiatry group	268·9	193·4	217·3	150·1	152·7
Dental specialties	20·1	10·0	10·5	12·3	9·0
ALL SPECIALTIES	790·4	592·3	713·0	486·4	550·7

Note: The table shows whole-time equivalents.

FOREIGN AND COMMONWEALTH AFFAIRS

Ukraine

10. **Sir Donald Thompson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with the Ukraine.

Mr. Hurd: We have close and friendly relations with Ukraine. I visited Kiev in May where I had useful talks with the Ukrainian leadership and reaffirmed our strong support for Ukrainian independence, sovereignty and territorial integrity.

20. **Mr. Win Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to meet his counterparts in the European Union to discuss its future development.

Mr. Heathcoat-Amory: I have regular discussions on a wide range of European Union issues with my European counterparts at meetings of the General Affairs Council. The next meeting of the Council is scheduled for 18-19 July.

Mr. Ian Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the German Foreign Minister about priorities for the German presidency of the EU.

Mr. Heathcoat-Amory: I discussed German presidency priorities with my German colleague at the Anglo-German summit on 27 April.

26. **Mrs. Angela Knight:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to help combat fraud in the EU in *(a)* spending on the common agricultural policy, *(b)* structural funds and *(c)* the cohesion budget.

Mr. Heathcoat-Amory: My right hon. Friend the Home Secretary announced a joint action proposal under title VI of the treaty on European Union aimed at combating serious fraud against the Community budget. The Commission has recently published its 1993 annual report on the fight against fraud and tabled an anti-fraud strategy which is under consideration by the Council. Both describe a number of existing and new measures to fight fraud against the Community budget, and in particular fraud against the CAP. The United Kingdom has pressed for demanding new provisions on value for money and reporting requirements to govern the structural and cohesion funds which are designed to reduce the scope for fraud and waste.

China

22. **Mr. Campbell-Savours:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to visit China to discuss matters of mutual interest.

Mr. Goodlad: My right hon. Friend has no plans at present to visit China but expects to meet the Chinese Foreign Minister in September, possibly in New York, to discuss matters of mutual interest. I plan to visit China myself before too long.

25. **Mr. Parry:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in China.

Mr. Goodlad: While welcoming the recent releases of certain individuals, we remain deeply concerned about continuing reports of human rights abuses in China, including the widespread arrest or detention of individuals for free expression of their political or religious beliefs, and the situation in Tibet.

Visegrad Countries

23. **Sir Roger Moate:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the prospects of EC membership for the Visegrad countries.

Mr. Heathcoat-Amory: The Copenhagen European Council in June 1993 agreed that the associated countries of central and eastern Europe that so wished, including the four Visegrad countries, should join the European Union as soon as they were able to assume the obligations of membership by satisfying the economic and political conditions required. We are fully committed to this objective, and reacted positively to the applications of Hungary and Poland in March and April this year.

24. **Mr. Devlin:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current state of United Kingdom relations with Japan.

Mr. Goodlad: United Kingdom relations with Japan are excellent. We are developing close co-operation on international issues, investment, trade, science and technology and many other areas.

Rwanda

27. **Mrs. Anne Campbell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to support the UN action in Rwanda.

28. **Mr. Clapham:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Rwanda.

Mr. Lennox-Boyd: The UK voted in favour of UN Security Council resolutions 918 and 925 which authorise an expansion in the United Nations Aid Mission in Rwanda force to a total of 5,500 and mandate it to provide protection and support to civilians at risk.

The UK worked with other states in framing both resolutions to ensure that UNAMIR was given the most effective mandate possible. We will continue our efforts to ensure that the force operates with maximum effect.

The UK will bear 6·37 per cent. of the cost of UNAMIR. We have also contributed over £11 million directly to the aid effort in Rwanda.

Sir Michael Neubert: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to commit British forces to United Nations operations in Rwanda.

Mr. Douglas Hogg: The UK has not been asked to contribute troops to the UN peacekeeping operation in Rwanda.

Gulf States

29. **Mr. Elletson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the United Kingdom's relations with the Gulf states.

Mr. Douglas Hogg: I visited the Gulf region from 30 May to 3 June 1994 and found that the United Kingdom's relations with the Gulf states were in excellent shape.

Intergovernmental Conference

30. **Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to be able to announce his priorities for the next intergovernmental conference.

Mr. Heathcoat-Amory: As my colleagues and I have made clear in a number of recent statements, our priority is to achieve a Europe that is prosperous, outward looking, free trading, decentralised, flexible and democratic.

European Security

31. **Mr. Gapes:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to meet his French counterpart to discuss the future of European security; and what discussions Her Majesty's Government have already had with the French Government in the last 12 months.

Mr. Heathcoat-Amory: My right hon. Friend the Foreign Secretary sees Mr. Juppé frequently, and European security issues remain one of the priorities on their agenda. We likewise hold frequent discussions with the French Government at all levels to discuss European security and other matters.

Indonesia

32. **Mr. Tony Banks:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current state of relations between Her Majesty's Government and the Government of Indonesia.

Mr. Goodlad: The United Kingdom and Indonesia enjoy excellent bilateral relations. The importance of the relationship is well illustrated by the large number of high-level visits in both directions. We contribute substantially to Indonesia's infrastructure development. British industry plays a significant role in this. British exports to Indonesia rose to their highest ever level—£331 million—in 1993. In 1992, the last year for which we have complete figures, and when British firms invested $996 million there, Britain was the largest European investor in Indonesia.

Angola

33. **Mr. Grocott:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to meet his counterpart in Angola to discuss the situation in that country.

Mr. Lennox-Boyd: My right hon. Friend the Foreign Secretary has no immediate plans to do so. However, my right hon. and noble Friend the Minister of State and Minister for Overseas Development last met Mr. Venancio da Moura on 25 April.

Middle East

34. **Mr. John Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the middle east peace process.

39. **Mr. Carrington:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards peace in the middle east; and if he will make a statement.

Mr. Douglas Hogg: We welcome the completion of Israeli withdrawal from Gaza and Jericho on 18 May. We and our European partners are providing practical help to the new Palestinian Administration, including the police force. We hope recent US efforts on the Syrian track will facilitate progress towards a comprehensive peace.

35. **Mr. Hicks:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Jericho to meet the new Palestinian Administration; and if he will make a statement.

Mr. Douglas Hogg: My right hon. Friend the Foreign Secretary has no such plans at present.

Philippines

36. **Mr. Nicholls:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on United Kingdom relations, including trade relations with the Philippines.

Mr. Goodlad: The United Kingdom and the Philippines enjoy excellent bilateral relations. The improving economic position and the political stability achieved under President Ramos's Administration has provided an excellent basis for the development of bilateral trade. United Kingdom exports to the Philippines increased by almost 50 per cent. in 1993 to £306 million.

Lockerbie

37. **Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what response he made to the written request of Edwin Bollier to be shown the timing equipment, retrieved from Pan Am 103 in the Tundergarth area near Lockerbie, for purposes of establishing whether the equipment was sold to the Stasi in East Germany or to the Libyan Government.

Mr. Douglas Hogg: None. Questions concerning the evidence revealed by the Lockerbie investigation are for the Scottish prosecuting authorities and the police. My noble and learned Friend the Lord Advocate has repeatedly made it clear that he cannot comment on details of the evidence available while criminal proceedings are pending.

Overseas Investments

38. **Mr. Mans:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to protect the investments of British companies overseas.

Mr. Goodlad: The Foreign and Commonwealth Office, working in close consultation with the Department of Trade and Industry, actively negotiates bilateral investment promotion and protection agreements with many countries worldwide. Since 1975 we have concluded 66 IPPAs, including eight so far this year. More are under negotiation. We are also supporting work in the Organisation for Economic Co-operation and Development on obligations under exisiting OECD investment protection measures and on a possible wider investment instrument.

Wilton Park Executive Agency

Mr. Stephen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has yet begun his review of the Wilton Park executive agency.

Mr. Lennox-Boyd: A review of the agency status of Wilton Park will begin in September 1994. As a next steps agency, the performance of Wilton Park will be evaluated and its activities will be subjected to the normal prior options tests set out in the 1993 next steps review, Cm 2430.

Comments and contributions from those with an interest in Wilton Park and its work would be welcome, and should be sent by 2 September 1994 to Christopher Battiscombe, CMG, Assistant Under-Secretary (Public Departments), Foreign and Commonwealth Office, Room G/107, Old Admiralty Building, London SW1A 2AF.

Wartime Special Operations Executive

Mr. Moss: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to release more records of the wartime Special Operations Executive.

Mr. Hurd: I said in my answer on 20 October 1993 that the first batch of files covering SOE activities in the far east would be available to the public from 21 October 1993. The next batch, on Scandinavia, were opened to the public on 2 June. A third batch, on the middle east and north Africa, will be available in late July.

Cash Limits

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes he proposes to make in his Department's diplomatic wing cash limits and running costs for 1994-95.

Mr. Goodlad: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for class II, vote 2—other external relations—will be increased by £204,105,000.

The cash limit for class II, vote 2—other external relations—will be increased by £204,105,000 from £211,404,000 to £415,509,000, mainly to take account of contributions to United Nations peacekeeping operations. The increase is partly offset by appropriations in aid. The balance will be charged to the reserve and will not therefore add to the planned total of public expenditure.

EC Legislation

Mr. Jonathan Evans: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish *(a)* the number of proposals for principal legislation put forward by the European Commission in the first five months of 1994 and *(b)* the total number of European Commission proposals for principal legislation for each of the previous four years.

Mr. Heathcoat-Amory: Up to the end of May 1994, the Commission had made 25 proposals for principal legislation. The total number of proposals for principal legislation during the last four years was as follows:

1990: 185
1991: 111
1992: 89
1993: 75

European Council

Mr. Nigel Evans: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a statement on the forthcoming business in the Council of the European Union.

Mr. Heathcoat-Amory: The following meetings are planned:

A:	2 June	Health
B:	6 June	ECOFIN
C:	6 June	Youth
D:	8-9 June	Environment
E:	10 June	Fisheries
F:	13-14 June	FAC
G:	13-14 June	Transport
H:	16 June	Internal Market
I:	17 June	Culture
J:	20-21 June	Justice
K:	21 June	Education
L:	22 June	Social Affairs
M:	27 June	Research
N:	27-28 June	Agriculture

The following subjects are likely to be discussed, although those marked with an asterisk are not yet firm.

A—2 June: Health

Proposal for a European Parliament and Council decision concerning the extension of the "Europe against AIDS" programme.

Draft resolution on the framework for action in the field of public health.

Amended proposal for a directive on advertising for tobacco products.

Communication and proposal for a decision on combating cancer within the framework for action in the field of public health.

B—6 June: ECOFIN

Preparation of Corfu European Council.
European investment fund.
CO_2 Energy tax.
Witholding tax.
Taxation of diesel.
Fight against fraud.
Albania (Possible).

C—6 June: Youth

The European Parliament and Council decision to adopt the third phase of the programme "Youth for Europe III".

Co-operation in the field of Youth.

D—8-9 June: Environment

Landfill—Common position.
Packaging and Packaging Waste—follow-up to EP decision.
Integration Pollution Prevention and Control (IPPC)—Debate.
Commission on Sustainable Development—follow-up to meeting in New York on 16-27 May.
Climate Change and Carbon/Energy Tax—Report from the High Level Group and Note from the Presidency.
White Paper on Growth, Competitiveness and Employment—Conclusions.
Ozone Depleting Substances Regulation.
Disposal of end-of-life vehicles (AOB item).
Pesticides and drinking water (AOB item).

E—10 June: Fisheries

Technical measures in the Mediterranean.
Compensation for peripheral regions.
Drift nets.
Definition of characteristics of fishing vessels.
Report of the market situation.
Report on the multi-annual guidance programme.
Objectives and strategies for the CFP.
UN conference on highly migratory species.
Negotiating mandate code of conduct.
Aquacultural research.
Economic research.
Community wide fishing permits.
Report on third country agreements.

F—13-14 June FAC

Preparation of Corfu European Council.
White Paper.
Relations with Israel: preparation for Co-operation Council.
Results of mission of Cyprus observer.
Cyprus: new financial protocol.
Malta: new financial protocol.
Ukraine.
Russia: PCA.
Ex-Yugoslavia.
Stability pact.
CFSP Financing.
Dual use goods.
Textiles: amendment of regulation 636/82.
Relations with ACP/Bananas.
OECD ship building negotiations.
Public access to Council documents.

G—13-14 June: Transport

Maritime

Minimum training requirements for seafarers.
Minimum standards for classification societies.
Community Shipping Register (EUROS).
Segregated Ballast Tanks.

Land

Railway Access and Charging.
Transport of Dangerous Goods by Road.
Road transport negotiations with third countries.

General

Trans-European Networks.
Transport relations with Switzerland.

H—16 June: Internal Market

Resolution on administrative co-operation.
Decision on mutual recognition.
13th amendment to marketing and use of dangerous substances Directive.
14th amendment to marketing and use of dangerous substances Directive.
15th amendment to marketing and use of dangerous substances Directive.
Data Protection.
Lifts.
Hallmarking.
European pharmacopoeia.
Novel Foods Regulation.
European co-operation statute.
Pension Funds Directive.
Legal protection of databases.
Customs mutual assistance regulation.

I—17 June: Culture

Agenda unavailable.

J—20-21 June: Justice

Agenda unavailable.

K—21 June: Education

Agenda unavailable.

L—22 June: Social Affairs

Regulation establishing a Health and Safety Agency.
Decision on a Programme to combat Social Exclusion.
Directive on the Protection of Health and Safety of Young People at Work.
Decision on a Vocational Training Programme (Leonardo da Vinci).
Directive on the setting up of a European Works Council Agreement of the 11.

Flynn Green Paper on the future of Social Policy.
White Paper on Growth, etc.
Commission Communication on Immigration and Asylum Policy.
M—27 June: Research Council
Article 130(J)—Rules for Participation of Undertakings.
Article 130(J)—IPR rules.
FP4 Specific Programmes.
EC/Israel Scientific and Technical Co-operation Agreement.
N—27-28 June: Agriculture
Price fixing.
Milk quotas.
Wine regime.
Genetic resources.
Labelling of organic foods.
BSE.
Health rules for the marketing of eggs.
Plant breeders' rights.

TRADE AND INDUSTRY

Cash Limits

Mr. Kynoch: To ask the President of the Board of Trade what changes will be made to the Office of Telecommunications cash limits and running costs limit for 1994-95.

Mr. Heseltine: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for class IV, vote 10 will be increased by £435,000 from £8,624,000 to £9,059,000 and the running cost limit has been increased by £435,000 from £8,192,000 to £8,627,000.

The supplementary estimate is required to increase the provision for running costs to ensure that pro-competition policies are implemented.

The increase will be charged to the reserve and will not therefore add to the planned total of public expenditure.

Mr. Kynoch: To ask the President of the Board of Trade what changes will be made to his Department's cash limits and running costs limit for 1994-95.

Mr. Heseltine: Subject to parliamentary approval of the necessary revised estimate, the cash limit for class IV, vote 1—support for business, consumer and investor protection, energy programmes and administration—will be reduced by £4,400,000 from £1,177,477,000 to £1,173,077,000.

A reduction in the gross provision from £1,402,638,000 to £1,398,238,000 fully accounts for this amount. This reduction results from a transfer to the Scottish Office of £4,000,000 following arrangements agreed for the sale of the National Engineering Laboratory and the transfer to the Scottish and Welsh Offices of £400,000 following a restructuring of the Design Council.

There are some other changes in the allocation of provision. These include £700,000 of expenditure to provide support for the activities on a regional supply network. This is financed by a corresponding reduction in the gross running costs limit from £328,700,000 to £328,000,000.

Coal Review White Paper

Mr. Robert Banks: To ask the President of the Board of Trade when he will publish the first of the annual energy reports proposed in last year's coal review White Paper.

Mr. Eggar: Volume 1 of the report, "Markets in Transition", has been published today. Volume 2, "Oil and Gas Resources of the United Kingdom", was published on 25 April. I have placed copies in the Libraries of the House.

The energy report is an important new document. It shows that we have made considerable progress towards true competition in energy supply. Most customers are now benefiting from lower prices, in real terms, than under the former state-owned monopolies. I expect emerging competition to maintain this strong downward pressure on prices. Clearly, there remains some way to go as the title of the report, "Markets in Transition", reflects. But the signs are very encouraging so far.

The energy industries are central to the success of the United Kingdom economy. The provision of efficiently produced and secure energy is a key element in the United Kingdom's competitiveness. But a free market needs information to help consumers and investors plan with more confidence and the Government recognise that they are uniquely well placed to provide much of this information—hence the need for the report.

The report provides valuable background and signposts to further information, for those involved, or thinking of involvement, in those markets. Its readable format also makes it a useful resource to those who are simply interested in the energy sector rather than actively involved in it.

Gas Industry

Mr. Robert Ainsworth: To ask the President of the Board of Trade what was the process employed by him in the recruitment of the Director General of Ofgas; and if he will make a statement.

Mr. Heseltine: I refer the hon. Member to the reply given to him on 14 June 1994, *Official Report,* column *416.*

Mr. O'Neill: To ask the President of the Board of Trade how many staff of Ofgas met officials of his Department to prepare the consultation document "Competition and Choice in the Gas Market".

Mr. Eggar: My officials met most of the senior staff of Ofgas on several occasions in the course of preparing the consultation document, "Competition and Choice in the Gas Market".

Mr. O'Neill: To ask the President of the Board of Trade how much time staff of the Office of Gas Supply spent meeting officials of his Department to prepare the consultation document "Competition and Choice in the Gas Market".

Mr. Eggar: This information is not available. There were many different meetings between staff at different levels.

Mr. O'Neill: To ask the President of the Board of Trade what has been the average number of staff employed by the Office of Gas Supply for each six-month period since its establishment.

Mr. Eggar: Information on staffing levels is given in the annual reports made by the Director General of Gas Supply to the Secretary of State. These reports are laid before Parliament as required by section 39(3) of the Gas Act 1986.

Public Utilities

Mr. Bayley: To ask the President of the Board of Trade what plans he has to commission an inquiry to examine the implications of abolishing standing charges on domestic gas, electricity and telephone bills.

Mr. Heseltine: I have no such plans.

Fire Safety

Mr. Alex Carlile: To ask the President of the Board of Trade if he will list the grades and qualifications of each member of each committee which contributed to the review of the fire safety legislation and its enforcement; and if he will make a statement.

Mr. Neil Hamilton: The team undertaking the review of fire safety legislation and enforcement consisted of a grade 5 from the Department of the Environment, an area director from the Health and Safety Executive and a grade 7 from the Home Office.

They were assisted by a steering group, chaired by a grade 3 from my Department, and made up of a number of civil servants of various grades from the Home Office, the Department of the Environment, the Health and Safety Executive, the Scottish Office, my Department and the No. 10 policy unit.

The review team was also able to draw upon expert advice from an advisory group made up of the president of the Institute of Building Control, a serving chief fire officer, a partner in a firm of building designers and planners, the director of the Fire Protection Association and two fire safety managers from manufacturing and service sector companies.

I have nothing further to add on the review to the answer given to the hon. Member for Wentworth (Mr. Hardy) on 14 June, *Official Report*, columns *427-28*.

Mrs. Helen Jackson: To ask the President of the Board of Trade when he will publish the scrutiny team's report on fire safety legislation.

Mr. Neil Hamilton: I refer the hon. Member to the answer given to the hon. Member for Wentworth (Mr. Hardy) on 14 June, *Official Report*, columns *427-28*.

Capital Goods

Mr. Cousins: To ask the President of the Board of Trade if he will publish a table showing the value of Export Credits Guarantee Department support for long-term capital goods business for each year since 1979.

Mr. Heseltine: The value of ECGD support for capital goods business since 1979-80 is as follows:

	£ million
1979-80	3,816
1980-81	3,668
1981-82	7,340
1982-83	8,440
1983-84	3,199
1984-85	2,458
1985-86	1,519
1986-87	2,601
1987-88	1,712
1988-89	2,067
1989-90	1,959
1990-91	2,300
1991-92	2,095
1992-93	3,802

The totals for 1979-80 and 1980-81 are not strictly comparable with the others in the table as they are based on a now discarded definition of the value of ECGD's support.

In his statement of the 11 May 1994, my hon. Friend the Minister for Trade announced a provisional figure for the value of ECGD support for capital goods business in 1993-94 of nearly £4.1 billion. Fuller details will be provided in ECGD's forthcoming annual report for 1993-94.

Industrial Investment (Greater London)

Mr. Cox: To ask the President of the Board of Trade what has been the financial amount of inward industrial investment within the Greater London area in each of the last three years.

Mr. Sainsbury: The information requested is not available in the form required. There are no published or recorded data on inward investment for London alone.

Thermal Oxide Reprocessing Plant

Mr. Simon Hughes: To ask the President of the Board of Trade if he will make a statement on the extent of the damage of the leak of nitric acid which occurred in THORP in March 1994.

Mr. Eggar: This is a management matter for British Nuclear Fuels plc.

Imports and Exports

Mr. Austin Mitchell: To ask the President of the Board of Trade if he will give the principal import and export competing industries; what was the output *(a)* in 1990, *(b)* at its peak together with the year, of that peak since 1964 and *(c)* at the latest available date.

Mr. Needham: Detailed information on industrial production prior to 1978 is not readily obtainable on current classifications. The available information, for those industries where total United Kingdom overseas trade—imports plus exports—exceeded £5 billion in 1992, is given in the table:

SIC(80) Activity heading	*Brief description*	*Index of production (1990 = 100)*			
		1978	*Peak*	*(Year)*	*1993*
2512	Basic general organic chemicals	84	120	(1992)	116
3302	Electronic data processing equipment	13	142	(1993)	142
3453	Active components and electronic sub-assemblies	43	103	(1992)	99
3510	Motor vehicles and their engines	132	132	(1978)	91
3530	Motor vehicle parts	92	102	(1993)	102
3640	Aerospace equipment manufacturing and repairing	50	100	(1990)	86

Source: CSO—Index of production.

Manufacturing

Mr. Austin Mitchell: To ask the President of the Board of Trade (1) pursuant to his oral statement of 24 May, *Official Report*, column 183, what has been the change in employment in manufacturing since 1979; what is his estimate of how many jobs have been lost *(a)* because of lack of training, *(b)* lack of investment and *(c)* other non-price factors.

(2) what consideration he has given, in drawing up his White Paper, "Competitiveness: Helping Business to Win" to the reasons for the change in the number of jobs in manufacturing industry since 1973; and if he will publish his estimate of the number of such jobs which have been lost as a result of *(a)* the change in the real exchange rate, *(b)* a poorly trained work force, *(c)* insufficient investment and *(d)* inefficient management.

Mr. Sainsbury: There has been a general decline in manufacturing employment in the developed world for many years. Since 1979, manufacturing employment in the United Kingdom has fallen by 3 million. Factors behind the decline include major improvements in productivity and the classification of jobs where activities such as transport are contracted out.

Mr. Austin Mitchell: To ask the President of the Board of Trade what assumption he made about the desirable level of output per man on United Kingdom manufacturing industry relative to that in *(a)* the USA, *(b)* Germany and *(c)* Japan in drawing up the White Paper "Competitiveness: Helping Business to Win".

Mr. Sainsbury: The White Paper on competitiveness makes clear that United Kingdom industry must continually improve its productivity if it is to prosper in the increasingly competitive world marketplace. During the 1980s, output per man in United Kingdom manufacturing grew more quickly than in the USA, Germany or Japan.

Mr. Austin Mitchell: To ask the President of the Board of Trade what is his latest estimate of the total number of workers employed in *(a)* Japanese, *(b)* French, *(c)* German and *(d)* American-owned manufacturing plants in Britain.

Mr. Sainsbury: The latest information refers to 1991 and is listed in the "Report on the Census of Production", summary volume, table 18, Business Monitor PA 1002, a copy of which is available in the Library of the House.

Mr. Austin Mitchell: To ask the President of the Board of Trade further to his White Paper "Competitiveness: Helping Business to Win", what assessment he has made of the reason for the change since 1990 in the output of United Kingdom industries engaged in producing internationally traded goods; and what was the percentage of change from the recent peak to the present day.

Mr. Sainsbury: Industrial production in April was slightly below its June 1990 peak, but was 1·7 per cent. above the average for 1990 as a whole and 8 per cent. higher than its trough in May 1992. In the latest three months, industrial production in the United Kingdom rose by 4·5 per cent. compared to a year earlier, while in Germany it rose by less than 2 per cent. and fell in France, Italy and Japan. The recovery in industrial production shows the benefit of low inflation, low interest rates and sound public finances.

Pepper Gas

Mr. Llew Smith: To ask the President of the Board of Trade what research has been undertaken following the Hinsworth committee recommendations in preparation for future authorisation of the use, manufacture or export of oleorsin capsicum pepper gas within the United Kingdom.

Mr. Charles Wardle: I have been asked to reply.

The Home Office police scientific development branch has collated scientific information available on oleorsin capsicum, commonly known as pepper spray. The study concluded that although pepper sprays are used extensively by law enforcement agencies in the United States of America there were a number of unanswered issues relating to the safety of these sprays. One particular concern is whether capsaicin, the active ingredient of OC, might cause cancer to those using or exposed to the spray.

We have commissioned further scientific research into this aspect in consultation with the Department of Health. Following this research, which is expected to take six months to complete, we will be in a better position to judge whether pepper sprays are appropriate for police use in this country.

Mr. Llew Smith: To ask the President of the Board of Trade if he will make a statement on the sale, distribution or possession of pepper gas by members of the public.

Mr. Charles Wardle: I have been asked to reply.

Under section 5(1)(b) of the Firearms Act 1968, as amended, devices capable of discharging a noxious substance are classed as prohibited weapons. We consider that devices such as pepper sprays are covered by the terms of section 5(1)(b). This means that their possession, acquistion, manufacture, sale or transfer is prohibited without the authority of the Secretary of State.

SCOTLAND

Health Workers

Ms Primarolo: To ask the Secretary of State for Scotland what are the planned numbers of health visitors, district nurses, school nurses, community psychiatric nurses, health visitor students and district nurse students for each year from 1995 to 1999.

Mr. Stewart: The information requested is not available from data held centrally.

Child Sexual Abuse

Mr. McFall: To ask the Secretary of State for Scotland how many cases relating to the sexual abuse of children were proceeded against in Scotland in each of the last five years.

Lord James Douglas-Hamilton: It is impossible to identify all of the cases of sexual abuse where children were involved because the Scottish Office Home and Health Department's classification of crimes and offences does not contain information on the victims of crime. The table lists those sexual offences within the classification which by definition involve persons aged under 16.

Persons proceeded against in Scottish courts where the main crime was sexual abuse of persons aged under 16

	1988	*1989*	*1990*	*1991*	*1992*
Lewd and Libidinous Practices[1]	222	226	218	200	186
Intercourse with girl under 13	7	6	9	2	7
Intercourse with girl between 13 and 16	100	105	110	95	65
Causing or encouraging seduction, prostitution of a girl under 16	3	—	1	—	—
Total	332	337	338	297	258

[1] Includes section 5 of the Sexual Offences (Scotland) Act 1976.

Glasgow Royal Infirmary

Mrs. Fyfe: To ask the Secretary of State for Scotland what was the outcome for each one of the patients for whom an intensive care unit bed at Glasgow royal infirmary was requested on 29 January at a time when all five intensive care beds were full.

Mr. Stewart: The outcome for each of the six patients for whom a request for an intensive care bed was made was as follows:

First patient	—transferred from the burns unit, Glasgow Royal Infirmary (GRI), to the intensive care unit, Western Infirmary, Glasgow.
Second patient	—transferred from emergency theatre, GRI, to the intensive care unit, Southern General, Glasgow.
Third patient	—following discussion between the referring consultant and the consultant in charge of intensive care, patient remained in the geriatric assessment unit, GRI.
Fourth patient	—tranferred from Inverclyde hospital to the intensive care unit, Southern General, Glasgow.
Fifth patient	—underwent emergency surgery at GRI but died in theatre.
Sixth patient	—remained in the medical receiving unit, GRI.

GPs (Night Visits)

Mrs. Fyfe: To ask the Secretary of State for Scotland what trends general practitioners have experienced in the number of night visits over the last 25 years; and what is his assessment of the reasons for those trends.

Mr. Stewart: The information available centrally is for 1976-77 onwards and is as follows:

Financial year	*Number of night visits*
1976-77	81,614
1977-78	80,989
1978-79	83,909
1979-80	84,620
1980-81	83,347
1981-82	90,649
1982-83	96,231
1983-84	103,106
1984-85	107,598
1985-86	119,130
1986-87	138,104
1987-88	122,747
1988-89	132,640
1989-90	143,556
1990-91	206,946
1991-92	244,310
1992-93	232,201
1993-94	245,158

Notes:

1. The figures for financial years 1976-77 to 1989-90 are derived from total accrued payments to general medical practitioners in Scotland for night visits for each of those years.
2. The figures for 1990-91 to 1992-93 are the total numbers of night visit claims for which GMPs received payment in each of those years.
3. The figure for 1993-94 is an estimate based on the total number of night visit claims for which GMPs received payment during the first six months of that year.

NHS Complaints

Mr. Donohoe: To ask the Secretary of State for Scotland what examination is being made by the Scottish Office of the current procedures for dealing with complaints within the national health service following the report on this matter produced by the Department of Health.

Mr. Stewart: The report entitled "Being Heard", prepared by an independent committee under the chairmanship of Professor Alan Wilson, vice chancellor of Leeds university, makes recommendations for changes to the procedures for making and handling of complaints throughout the United Kingdom. The report was published on 11 May and my noble and learned Friend the Minister of State has invited comments on the proposals contained in the report. These should be submitted by Friday 12 August.

Mr. Donohoe: To ask the Secretary of State for Scotland what arrangements exist in each health board in Scotland for dealing with patients' complaints.

Mr. Stewart: Health boards operate on the basis of two statutory complaints procedures, as set out in the reply that I gave to the hon. Member on 6 May 1994 at column *687* and of a non-statutory procedure for dealing with complaints which relate to the clinical judgment of medical and dental staff in hospitals.

Mr. Donohoe: To ask the Secretary of State for Scotland how many complaints have been received by each of the health boards in Scotland during each of the last five years.

Mr. Stewart: This information is not available for the full period requested. Information about complaints is now published in a series of quarterly complaints bulletins copies of which are held in the Library of the House. The first of these bulletins covers the period from 1 January to 31 March 1993.

Lockerbie

Mr. Dalyell: To ask the Secretary of State for Scotland what is the Lord Advocate's estimate of the likely length of criminal proceedings arising out of the Lockerbie disaster.

Lord James Douglas-Hamilton: Once the two Libyan accused have been fully committed in custody for trial before a Scottish court the prosecution authorities must be prepared to commence the trial within 110 days from that date—which means effectively, within 120 days of their being brought before the court following arrest. It is open to the defence to seek a postponement of trial and the court may, for that purpose, extend the 110-day period. A criminal trial arising from an investigation as extensive as the Lockerbie inquiry will inevitably run for a substantial period of time, but the length of the trial is not controlled by the Crown and so it is not possible for my noble and learned Friend the Lord Advocate to give an estimate of its length.

Cash Limits

Mr. Kynoch: To ask the Secretary of State for Scotland if he intends to make any changes to the cash limits for 1994-95 within his responsibility.

Mr. Lang: Yes. Subject to parliamentary approval I intend to make changes to two voted cash limits and in addition one of the non-voted cash blocks.

(a) The cash limit for class XIV, vote 3, training programmes, roads and transport services and industrial support, Scotland, will be increased by £74,300,000 from £798,104,000 to £872,404,000. The increase comprises transfers of £70,000,000 from Department of Transport and £4,300,000 from Department of Trade and Industry.

(b) The cash limit for class XIV, vote 9, revenue support grants and payments of non-domestic rates etc, Scotland will be decreased by £62,000 from £4,882,353,000 to £4,882,291,000 after an error was identified in a non-domestic rate income return submitted by a levying authority. The erroneous figure had been used when the Estimates were compiled but it was later corrected in the Revenue Support Grant (Scotland) Order 1994 laid before Parliament on 17 February 1994.

(c) The non-voted cash limit SO/LA2, which covers housing capital expenditure by local authorities and capital expenditure by new towns will be decreased by £6,900,000 from £269,892,000 to £262,992,000. This decrease reflects a transfer of strategic investment sites from new towns to Scottish Enterprise. A compensatory increase was included in the main estimate for class XIV vote 3 for 1994-95.

None of these changes add to the total of public expenditure.

Sustainable Development

Mr. Kynoch: To ask the Secretary of State for Scotland when he will be in a position to announce the membership of the Scottish advisory body on sustainable development; and if he will make a statement.

Sir Hector Monro: My right hon. Friend, the Secretary of State for Scotland indicated in January his intention to establish an advisory body of experts to examine the practical challenges of sustainable development in Scotland. Professor William Ritchie, vice-principal of Aberdeen university is to chair the body.

The body, which is to be known as the Secretary of State for Scotland's advisory group on sustainable development, will have the following nine members embracing a range of relevant interests:

Nan Burnett: Chairman, South East Regional Board and Board Member, Scottish Natural Heritage.

Ann Foster: Director of the Scottish Consumer Council.

Sir Charles Fraser: Former Chairman of Lothian and Edinburgh Enterprise.

Patricia Henton: Director, Scotland and Northern Ireland, Aspinwall and Co.

Professor Bart McGettrick: Principal, St. Andrew's College of Education.

Councillor Rosemary McKenna: (Cumbernauld and Kilsyth District Council), Senior Vice President of the Convention of Scottish Local Authorities.

Cameron McLatchie: Chairman and Chief Executive, British Polythene Industries.

Simon Pepper: Head of Operations, World Wide Fund for Nature Scotland.

Professor Roger Willey: Chief Executive of the Environmental Centre for Waste Management at Paisley University.

The Group has been given the following remit:

To advise the Secretary of State for Scotland on:

policy issues and practical challenges for Scotland as a consequence of adopting the principles of sustainable development.

implications for Scotland of advice from the Government's panel on sustainable development for the UK, with which it will maintain regular contact.

measures to achieve the closer integration of environmental issues in the policies and practices of both the private and public sectors across Scotland.

any members referred to the group by the Secretary of State.

Greater Glasgow Health Board

Mr. Gallie: To ask the Secretary of State for Scotland when he expects to make public the report of the chief executive of the NHS Executive's inquiry into the events surrounding the dismissal of the general manager of the Greater Glasgow health board.

Mr. Lang: The chief executive's inquiry is now complete and I have arranged for copies of his report to be placed in the Library.

Railway Restructuring

Mr. Gallie: To ask the Secretary of State for Scotland if increased funding will be made available to Strathclyde regional council in 1994-95 for the additional costs incurred as a result of the restructuring of the railways and implementation of the new track and rolling stock charging system; and if he will make a statement.

Mr. Lang: Under the new railway charging systems introduced on 1 April 1994, we expect the cost to Strathclyde regional council of maintaining the existing level of Strathclyde passenger transport executive-supported rail services to increase. My right hon. Friend the Secretary of State for Transport has given an undertaking that the additional costs will be met in full by a transfer of funds from the Department of Transport through the Scottish Office to Strathclyde regional council. Payment will be subject to Strathclyde passenger transport executive and British Rail having made the necessary contractual arrangements. The funds will be in addition to Strathclyde's local government finance settlement and will be disregarded for capping purposes.

Parliamentary approval for this new service will be sought in a summer supplementary estimate for the training programmes, roads and transport services and industrial support, Scotland vote, class XIV, vote 3. Pending that approval, urgent expenditure estimated at £30 million to cover payments in the early part of the current year, will be met by repayable advances from the contingencies fund.

Prison Staff

Dr. Godman: To ask the Secretary of State for Scotland what was the ratio of staff to prisoners in each prison at the latest available date.

Lord James Douglas-Hamilton *[holding answer 14 June 1994]:* Responsibility for the subject of the question has been delegated to the Scottish Prison Service under its chief executive Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from E. W. Frizzell to Dr. Norman Godman, dated 15 June 1994:

Lord Fraser of Carmyllie has asked me to reply to your question about the ratio of staff to prisoners in each prison.

The information you require is given in the attached table.

Ratio of Staff to Prisoners as at 20 May 1994

Establishment	*Staff per Prisoner*
Aberdeen	0·9
Barlinnie	0·5
Barlinnie Special Unit	2·6
Castle Huntly	1·4
Cornton Vale	1·2
Dumfries	1·5
Dungavel	0·7
Edinburgh	0·7
Friarton	0·7
Greenock	0·7
Glenochil	0·9
Inverness	1
Longriggend	1
Low Moss	0·4
Noranside	0·7
Penninghame	0·8
Perth	0·9
Peterhead	1·2
Polmont	0·9
Shotts	0·9
Shotts Alternative Unit	3·5

Prisons (Alcohol Abuse Programmes)

Dr. Godman: To ask the Secretary of State for Scotland in which prisons alcohol abuse and misuse programmes are available to prisoners; how many prisoners *(a)* commenced and *(b)* completed the programme in each prison in 1991, 1992, 1993 and so far this year; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 14 June 1994]:* Responsibility for the subject of the question has been delegated to the Scottish Prison Service under its chief executive, Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from E. W. Frizzell to Dr. Norman Godman dated 15 June 1994:

Lord James Douglas-Hamilton has asked me to reply to your question about alcohol abuse and misuse programmes within Scottish penal establishments, including the number of prisoners commencing and completing available programmes during 1991, 1992, 1993 and so far in 1994.

The table in the Annex shows the information available. Figures for Barlinnie are not presently collated and I will write again when the figures are available.

In 1991, the Scottish Prison Service, in consultation with the Scottish Council on Alcohol, introduced the "Ending Offending" education package. This package was aimed primarily at helping prisoners in the 16 to 30 age group with alcohol related problems address their drinking and offending behaviour. In addition, Alcoholics Anonymous attend most establishments and hold weekly meetings.

ANNEX

Establishment and alcohol programme run by	*1991 Number completed*[1]	*1992 Number completed*[1]	*1993 Number completed*[1]	*1994 To date number completed*
Aberdeen				
Aberdeen alcohol advisory and counselling service, prison social work unit	[2]—	[2]—	24	46
Barlinnie				
Glasgow council on alcohol, alcoholics anonymous, trained prison staff	[3]—	[3]—	[3]—	[3]—
Barlinnie Unit				
Glasgow council on alcohol	1	2	Nil	Nil
Castle Huntly				
Prison social worker, prison education officer	27	15	30	19
Cornton Vale				
Scottish council on alcohol, alcoholics anonymous, trained prison staff, prison social workers	[2]—	[2]—	[2]—	9
Dumfries				
Nil (contact is maintained with Alcoholics Anonymous)	Nil	Nil	Nil	Nil
Dungavel				
Prison social work unit, alcoholics anonymous	18	40	43	15
Edinburgh				
Prison education unit, alcoholics anonymous	28	32	27	18
Friarton				
Alcoholics anonymous, prison education unit	10	10	10	4
Glenochil				
Alcoholics anonymous, Scottish council on alcohol	80	80	80	80
Greenock				
Inverclyde alcohol project, prison social work unit, alcoholics anonymous	[2]—	5	15	17
Inverness				
Scottish council on alcohol	40	40	40	40
Longriggend				
Alcoholics anonymous, prison social work unit, Cumbernauld and Kilsyth, addiction and advisory centre	259	312	476	113
Low Moss				
Prison addictions unit, alcoholics anonymous	[2]—	[2]—	[2]—	34

Establishment and alcohol programme run by	*1991 Number completed*[1]	*1992 Number completed*[1]	*1993 Number completed*[1]	*1994 To date number completed*
Noranside				
Alcoholics anonymous, Tayside council on alcohol, prison education unit	4	14	19	21
Penninghame				
Prison education unit, prison social work, alcoholics anonymous, al-teen	[2]—	[2]—	54	12
Perth				
Tayside council on alcohol, alcoholics anonymous, prison social work unit	13	21	12	32
Peterhead				
Prison education unit, alcoholics anonymous	26	46	80	40
Polmont				
Prison social work unit, Scottish council on alcohol	65	63	42	16
Shotts				
Alcoholics anonymous	[4]	[4]—	[4]—	[4]—
Shotts unit				
Nil	Nil	Nil	Nil	Nil
Total	571	680	952	516

[1] The numbers quoted show the total number of prisoners who completed alcohol programmes. The number of prisoners who commenced but did not complete the programmes is not available.

[2] No figures available.

[3] Figures to follow.

[4] 30 Prisoners attend per week.

The figures do not include the prisoners who receive individual counselling from prison based social workers or community based addiction counsellors.

Ravenspark Hospital

Mr. Donoh[illegible]e: To ask the Secretary of State for Scotland, pursuant to his answer of 3 May, *Official Report*, column *498*, when he expects to approve the contract agreed between Burley Health Care plc and Ayrshire and Arran health board for replacement care provision arising out of the planned closure of Ravenspark hospital.

Mr. Stewart *[holding answer 14 June 1994]:* The decision on whether or not to contract with Burley Health Care plc is a matter for Ayrshire and Arran health board but, in terms of its accountability to the Secretary of State, the board must be able to demonstrate that its purchasing decisions are firmly based on the assessed needs of its population both in the immediate and longer term; will bring greater benefits to patients; and represent value for money. These matters are under discussion with the health board.

WALES

Local Government

Mr. Rowlands: To ask the Secretary of State for Wales what is his latest estimate of the number of employees of each district and county council in Wales.

Mr. Gwilym Jones: The latest estimates of local authority staff numbers, excluding those employed under special employment and training measures, are given in the following table.

Number of staff employed by local authorities at March 1994[1]

	Full-time employees	*Part-time employees*[2]
County Councils[3]		
Clwyd	6,960	7,323
Dyfed	7,643	7,227
Gwent	8,615	9,707
Gwynedd	4,877	4,730
Mid Glamorgan	12,173	9,078
Powys[4]	2,990	2,495
South Glamorgan	7,502	7,128
West Glamorgan	8,205	5,938
District Councils:		
Aberconwy[5]	447	36
Alyn and Deeside	498	98
Arfon	494	75
Blaenau Gwent	912	155
Brecknock	222	28
Cardiff	2,454	1,103
Carmarthen	372	71
Ceredigion	528	30
Colwyn	369	86
Cynon Valley	591	43
Delyn	473	185
Dinefwr	235	14
Dwyfor	235	23
Glyndwr	256	92
Islwyn	620	77
Llanelli	608	80
Lliw Valley	487	80
Meirionnydd	280	47
Merthyr Tydfil	685	87
Monmouth	448	124
Montgomeryshire	301	150
Neath	534	81
Newport	1,184	243
Ogwr	924	243
Port Tabot	436	84
Preseli Pembrokeshire	508	64
Radnorshire	144	51
Rhondda	736	214
Rhuddlan	341	47
Rhymney Valley	906	265
South Pembrokeshire	287	25
Swansea	2,271	217
Taff Ely	654	128
Torfaen	768	158
Vale of Glamorgan	699	140
Wrexham Maelor	1,071	204
Ynys Mon	445	77

Source: Local Government Management Board (LGMB)

[1] Provisional.

[2] Working no more than 30 hours per week.

[3] Excludes Police, Magistrates Courts and Probation Service staff.

[4] As at September 1992.

[5] As at March 1993.

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the number of senior grade employees of each district and county council in Wales.

Mr. Gwilym Jones: The information requested is not collected centrally.

Hip Replacement Operations

Mr. Gareth Wardell: To ask the Secretary of State for Wales how many hip operations carried out in Wales over the last five years have been carried out by (i) consultant orthopaedic surgeons or their registrars and (ii) general surgeons.

Mr. Gwilym Jones: The number of hip replacements carried out as principal operations in the care of consultants for the period is given in the table.

	Consultant Specialty		
	General surgery[1]	*Trauma and Orthopaedics*[1]	*Total*
1988-89	1	903	904
1989-90	3	943	946
1990-91	3	816	819
[2]1991-92		1,103	1,103
[2]1992-93	1	1,230	1,231

Source: Hospital Activity Analysis 1988 to 1990. Patient Episode Database for Wales 1991 onwards.

[1] In addition a small number of hip replacements were undertaken by consultants from other specialties. Figures may understate the true position in that not all hospitals provide complete clinical information.

[2] Provisional.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list all those hospitals in Wales which carry out hip replacement operations; and in which of these the operations take place in theatres with laminar air flow facilities.

Mr. Gwilym Jones: This information is not held centrally.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish for each of the last five years the number of *(a)* hip replacement operations and *(b)* hip revision operations carried out in Wales.

Mr. Gwilym Jones: The number of hip replacements and revisions carried out as principal operations during the period is given in the table:

	Hip replacement operations[1]	*Hip revision operations*[1]	*Total*
1988-89	909	690	1,599
1989-90	954	687	1,641
1990-91	822	513	1,335
[2]1991-92	1,103	414	1,517
[2]1992-93	1,231	366	1,597

Source: Hospital Activity 1988 to 1990. Patient Episode Database for Wales 1991 onwards.

[1] Figures may understate the true position in that not all hospitals provide complete clincial information.

[2] Provisional.

Hospitals

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list the hospitals in Wales with accident and emergency units; and which of them have on-site, on-call consultant cover on a 24-hour a day basis.

Mr. Gwilym Jones: All 13 general hospitals in Wales have major accident and emergency units with access to a full range of support services. Details of medical cover, which will vary according to local needs, are not held centrally. The general hospitals concerned are:

Ysbyty Glan Clwyd—Bodelwyddan
Ysbyty Gwynedd—Bangor
Wrexham Maelor—Wrexham
Bronglais General Hospital—Aberystwyth
West Wales General Hospital—Carmarthen
Prince Philip Hospital—Llanelli
Morriston Hospital—Swansea
Princess of Wales Hospital—Bridgend
East Glamorgan General Hospital—Church Village
Prince Charles Hospital—Merthyr Tydfil
Cardiff Royal Infirmary—Cardiff
Royal Gwent Hospital—Newport
Nevill Hall—Abergavenny

Health Workers

Ms Primarolo: To ask the Secretary of State for Wales what are the planned numbers of health visitors, district nurses, school nurses, community psychiatric nurses, health visitor students and district nurse students for each year from 1995 to 1999.

Mr. Gwilym Jones: The information on planned numbers of health visitors, district nurses, school nurses and community psychiatric nurses is not available in the format requested.

The number of health visitor students and district nurse students are reviewed annually to take account of the latest work force planning information. Figures for 1995-1999 are therefore not available.

Ms Primarolo: To ask the Secretary of State for Wales what was the number of health visitors, district nurses, school nurses and community psychiatric nurses expressed as whole-time equivalents in September in each year from 1988 to 1992.

Mr. Martyn Jones: To ask the Secretary of State for Wales how many health visitors were employed in each health authority or NHS trust in Wales in each year since 1985 in terms of both full-time and part-time employees.

Mr. Gwilym Jones: Information for nursing staff is available centrally from the NHS payroll system and associated information systems. Detailed breakdowns, from this source, of the number of nursing staff employed by health authorities and NHS trusts into occupational groups such as those requested are not considered reliable.

Nursery and Reception Classes

Mr. Barry Jones: To ask the Secretary of State for Wales how much has been made available in each year since 1980 for nursery and reception classes in Welsh local education authorities; and if he will make a statement.

Mr. Gwilym Jones: Resources made available to local authorities through the annual settlement are not hypothecated to individual services. Actual expenditure on nursery and reception classes cannot be separately identified within the data collected centrally.

Residential and Nursing Homes

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what representations he has received regarding the location of residential and nursing homes; if he will make it his policy to increase the powers of planning authorities in this area; and if he will make a statement.

Mr. Gwilym Jones: Since 1 Janaury 1993, my right hon. Friend has received four representations, all of which were objections to proposals to change the use of existing properties to such homes. My right hon. Friend has no proposals to increase the powers available to local planning authorities to control this type of development.

Coxsackie Virus

Mr. Tom Clarke: To ask the Secretary of State for Wales what was the incidence of the coxsackie virus in Wales in the last two years; and in what geographical areas the problem has been identified.

Mr. Gwilym Jones: Estimates of the incidence of coxsackie virus infection are based on voluntary reports made to the Public Health Laboratory Service communicable disease surveillance centre by microbiology laboratories throughout Wales. The number of cases of coxsackie virus reported by laboratories in Wales in 1992 and 1993 are shown in the table. There are no reported cases as yet in 1994. Information regarding the area of occurrence is not readily available.

	1992	*1993*
Coxsackie A	5	5
Coxsackie B	6	10
Total	11	15

Source:
Communicable Disease Surveillance Centre of the Public Health Laboratory Service.

Mr. Tom Clarke: To ask the Secretary of State for Wales what research is being undertaken into the coxsackie virus in Wales.

Mr. Gwilym Jones: No separate research is being carried out in Wales. However, the Public Health Laboratory Service are undertaking a retrospective analysis of the epidemiology of coxsackie virus infection in England and Wales over the last 20 years.

Voluntary Organisations

Mr. Martyn Jones: To ask the Secretary of State for Wales if he will list all the voluntary all-Wales organisations which are supported financially by his Department; and what amount of support is given to each organisation.

Mr. Gwilym Jones: The information requested is as follows. It is based on funding for 1993-94.

Voluntary Organisation	*Funding Received 1993-94 £*
Wales Council for Voluntary Action	369,480
Community Service Volunteers	66,547
Charities Evaluation Service	21,580
Business in the Community	23,630
Welsh Women's Aid	497,987
Shelter Cymru	222,649
Special Needs Housing Advisory Service	73,400
Care and Repair	156,272
Tenant Participation Advisory Service (Wales)	159,000
Welsh Tenants' Federation	82,221
Positive Action Training in Housing (Local Authorities)	23,150
Alcohol Concern Wales	78,758
Drugaid	34,722
Youthlink Wales	68,094
Standing Conference of Voluntary Organisations	201,391
MENCAP	84,370
People First Wales	13,283
The Civic Trust for Wales	35,880
Welsh Archaeological Trusts	899,675
The Order of St John	124,221
ASH	56,130
Royal Life Saving Society	10,000
Marie Curie Cancer Care	500
Family Planning Association	1,600
La Leche League	850
Theatr Fforwm Cymru	3,470
British Fluoridation Society	3,200
Extend	2,800
Association of Welsh Wildlife Trusts	16,200
British Trust for Conservation Volunteers	49,546
Centre for Alternative Technology	15,400
Friends of the Earth Cymru	33,972
Keep Wales Tidy Campaign	195,661
National Trust	5,000
Prince of Wales' Committee	87,824
Ramblers' Association	8,653
Royal Society for Nature Conservation	23,696
Royal Society for the Protection of Birds	3,142
Wales Wildlife and Countryside Link	12,979
Age Concern Wales	213,065
Arts for Disabled People in Wales	37,000
British Association for Service to the Elderly	20,200
Carers National Association Wales	66,301
Crossroads Wales	100,000
Hijinx Theatre	2,400
PHAB	30,520
Sense	25,000
Wales Council for the Blind	95,978
Wales Council for the Deaf	144,700
Wales Council for the Disabled	348,078
Wales Disabled Drivers Assessment Centre	34,028
Wales MIND Cymru	41,819
National Schizophrenia Fellowship	51,263
Manic Depression Fellowship	16,999
Alzheimers Disease Society	44,753
CRUSE Bereavement Care	28,017
Welsh Books Council	1,139,621
Mudiad Ysgolion Meithrin	639,316
National Eisteddfod	388,000
Urdd Gobaith Cymru	278,670
Nant Gwrtheyrn	93,600
Papurau Bro	47,000
Welsh Learners' Society (CYD)	47,000
Duke of Edinburgh's Award	27,500
Merched y Wawr	22,330
National Federation of Women's Institutes	18,325
Sunday Schools Council	14,200
Wales Young Farmers	14,250
Cymru a'r Byd	3,000
Council for Education in World Citizenship	476
Campaign for the Protection of Rural Wales	2,500
Post	8,300
Menter a Busnes	22,000
Academi Gymreig	2,235
Royal National Institute for the Blind	29,545
Dolen Cymru	13,240
Baptist Youth Ministry	10,000

Voluntary Organisation	*Funding Received 1993-94 £*
Boys Brigade in Wales	14,850
Church in Wales Board of Mission	15,600
Guides Cymru	11,722
Gwerin y Coed	15,000
UNAIYS	14,000
United Reformed Church Youth Project	10,644
Welsh Federation of Boys and Girls' Groups	114,714
YMCA Wales	48,936
Welsh Association of Youth Clubs	45,899
Welsh Scout Council	21,000
Youth Events Wales	4,200
Welsh Chess Union	5,500
British Agencies for Adoption and Fostering	71,920
Catholic Children and Family Care Society (Wales)	49,460
Childline	61,409
Children in Wales	197,155
Children's Society	111,350
Children's Cancer Support Unit	5,280
Gingerbread	56,639
Homestart Consultancy	25,837
Joint Breastfeeding Initiative	16,810
Kids Clubs Networks	14,978
National Children's Homes	126,040
National Association for Young People in Care	62,730
National Childminding Association	147,750
National Fostercare Association	36,155
Relate	18,530
Stillbirth and Neonatal Death Society	10,530
Wales Assembly of Women	9,410
Wales Pre-School Playgroups Association	165,820
Chwarae Teg	18,760

Child Protection (Training)

Mr. Martyn Jones: To ask the Secretary of State for Wales if he will list all changes since 1992 in child protection training procedures for health visitors in Wales.

Mr. Gwilym Jones: Since 1992 child protection training has been a part of initial training for health visitors and a recommended part of their post-basic and continuing education.

Road Maintenance

Mr. Alex Carlile: To ask the Secretary of State for Wales what was the total expenditure on road maintenance in Wales for each of the last five years; and if he will make a statement.

Mr. Redwood: Figures for current expenditure on roads maintenance are:

Financial year	*Local authorities*[1] *£ million*	*Central government*[2] *£ million*
1989-90	[3]124·7	15·3
1990-91	135·5	18·6
1991-92	141·9	20·9
1992-93	149·3	23·2
1993-94	[4]150·4	[4]26·3

[1] Includes all highways and bridge maintenance, street cleaning for highways purposes, lighting, road safety and associated professional and technical services and net expenditure incurred on behalf of other local authorities under agency agreements.

[2] Expenditure on motorways and trunk roads.

[3] A new definition of current expenditure was introduced in 1990-91 and this figure is not strictly comparable with those of later years.

[4] Provisional figures.

Teachers

Mr. Alex Carlile: To ask the Secretary of State for Wales how many primary schools in each county in Wales have reduced the number of teachers following the introduction of formula funding; and if he will make a statement.

Mr. Redwood: An analysis in terms of the number of schools could be provided only at disproportionate cost. However, the number of teachers in primary schools in each county are given in the table. Formula funding was introduced in April 1990 and so the table compares the numbers of teachers at January 1990 with the most recent data available, which are for Janaury 1993.

There has been an overall increase of 354 teachers across Wales reflecting an increase in pupil numbers. In Powys and Gwynedd pupil numbers have fallen proportionately more than teacher numbers, so the pupil:teacher ratios have improved.

Full-time equivalent teachers in maintained primary schools[1]

	1990	*1993*	*Increase Number*	*Increase Per cent.*
Clwyd	1,510	1,610	100	6·6
Dyfed	1,597	1,625	28	1·8
Gwent	1,798	1,843	45	2·5
Gwynedd	945	926	−19	−2·0
Mid Glamorgan	2,347	2,386	39	1·7
Powys	519	513	−6	−1·2
South Glamorgan	1,607	1,737	130	8·1
West Glamorgan	1,609	1,646	37	2·3
Wales total	11,932	12,286	354	3·0

[1] Qualified teachers in primary schools at January each year excluding those employed by the LEA who are not allocated to particular schools—for example, peripatetic teachers.

Health Service Waiting Lists

Mr. Blunkett: To ask the Secretary of State for Wales how many people not on waiting lists for treatment were waiting to see a specialist in the national health service at the end of March.

Mr. Gwilym Jones: Information relating to the number of people waiting for a first out-patient consultation at NHS hospitals in Wales on 31 March 1994 is due to be published in August 1994. Welsh health authorities and GP fundholders reported 130,440 people on their lists for a first out-patient consultation at 31 March 1994. These may include people waiting for consultations at hospitals outside Wales.

Cash Limits

Mr. Richards: To ask the Secretary of State for Wales what changes he proposes to make to the cash limits for his Department in the current financial year.

Mr. Redwood: Subject to parliamentary approval of the necessary supplementary estimates, the cash limit on class XV, vote 2 will be reduced by £9,994,000, from £185,192,000 to £175,198,000; the cash limit on class XV, vote 4 will be increased by £967,000, from £564,452,000 to £565,419,000; the cash limit on class XV, vote 5 will be increased by £4,820,000, from £487,955,000 to £492,775,000; the cash limit on class XV, vote 8 will be increased by £3,000,000 from £1,498,032,000 to £1,502,032,000. The local authority capital limit—WO/LACAP—will be increased by £1,079,000 from £464,390,000 to £465,811,000.

The decrease in the cash limit for vote 2 is in respect of the planned recovery of an additional payment of grant in aid made to the Welsh Development Agency in 1993-94 to help cover a major receipt expected in that year but delayed until 1994-95.

The increase in the cash limit for vote 4 provides for the expected increase in the number of participants in training for work claiming allowances.

The increase in the cash limit for vote 5 comprises £4,000,000 extra for central Government expenditure on motorways and trunk roads, an additional £500,000 for transport grant for the third Dee crossing and an additional £320,000 for the Staff Commission for Wales.

The increase in the cash limit for vote 8 provides an additional £3,000,000 for central Government expenditure on health and personal social services.

There is also one change to a non-voted cash limit. The increase in the cash limit for WO/LACAP is in respect of an additional £1,000,000 for a housing "under-occupation" initiative; and extra £500,000 for a supplementary credit approval for the third Dee crossing and a reduction of £421,000 as a result of a transfer to the Home Office in respect of the fire service.

None of the proposed changes will add to the planned total of public expenditure.

Cadw

Mr. Richards: To ask the Secretary of State for Wales what targets he has set for Cadw, Welsh Historic Monuments Executive Agency.

Sir Wyn Roberts: Cadw has been set the following key targets for 1994-95:

(i) To complete 90 per cent. of the approved conservation maintenance programme.

(ii) To complete 40 re-survey lists.

(iii) To resolve 75 per cent. of ad hoc listing cases within 120 days.

(iv) To complete 100 scheduling actions, of which at least 70 per cent. involve additional protection.

(v) To resolve 75 per cent. of listed building consent cases within 28 days, and 90 per cent. of cases within 42 days.

(vi) To resolve 75 per cent. of scheduled monument consent cases within 90 days, and 90 per cent. of cases within 120 days.

(vii) To resolve 80 per cent. of historic buildings grant applications within 17 weeks.

(viii) To resolve 80 per cent. of ancient monument grant applications within six weeks.

(ix) To pay 90 per cent. of properly presented claims for historic buildings and ancient monument grants within four weeks of receipt.

(x) To achieve a market share of 63 per cent. of the number of visitors to the top 20 heritage sites in Wales.

(xi) To increase the average spend per visitor to 206 pence.

(xii) To operate within allocated programme and running cost budgets.

(xiii) To achieve an efficiency saving of 2·0 per cent. on gross running costs.

Full details of Cadw's performance against its targets for 1993-94 will be published in the agency's annual report.

Written Answers to Questions

Thursday 16 June 1994

LORD CHANCELLOR'S DEPARTMENT

Government Information

Mr. Llew Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department when he plans to publish his departmental guidance on the implementation of the code of practice on access to Government information, as promised at paragraph 3(ii) of the code issued on 4 April; and what has been the cause of the delay in publishing the departmental guidance.

Mr. John M. Taylor: The Lord Chancellor's Department's guidance on the implementation of the code of practice on access to Government information has been available since the end of March. A copy has been placed in the Library of the House.

DEFENCE

Food Supply

Mr. David Martin: To ask the Secretary of State for Defence what progress has been made in his plans to transfer the armed services food supply task to the Navy, Army and Air Force Institute; and if he will make a statement.

Mr. Hanley: Negotiations with the Navy, Army and Air Force Institute are proceeding satisfactorily and I expect shortly to be able to provide full details of the future food supply arrangements for the armed services. As part of our review of this task, the future of victualling depots operated by the Ministry of Defence has been examined. This work is continuing, but the conclusions reached so far are that the Royal Navy victualling depots at Burnetts Lane, near Southampton, and Royal Elizabeth Yard, Kirkliston, near Edinburgh, are no longer required. It is therefore proposed the Burnetts Lane should close by 30 September 1995, and that REY Kirkliston should close by 31 March 1996.

These proposals are subject to consultation with the trade unions and other interested parties. No final decisions will be taken until consultation has been completed, and negotiations with NAAFI have been concluded.

HEALTH

Heart Transplants

Mr. Cox: To ask the Secretary of State for Health which hospitals covering the Greater London area carry out heart transplant surgery.

Mr. Sackville: St. George's Healthcare NHS trust, St. George's hospital, Tooting; the Great Ormand Street Hospital for Children NHS trust; and the Royal Brompton hospital which operates in association with Harefield hospital.

Infertility

Mr. Etherington: To ask the Secretary of State for Health (1) what provision is made for *(a)* infertility treatment and *(b)* infertility investigation in Sunderland district health authority;

(2) what advice the Sunderland district health authority has sought from her Department as to the most cost-effective and cost-efficient means of providing for infertility investigation and treatment.

Mr. Sackville: These are matters for the Sunderland district health authority. The hon. Member may wish to contact Mr. George Bedell, chairman of the authority, for details.

The national health service provides a wide range of treatments for subfertility. Individual health authorities determine priorities in the light of local needs and circumstances.

Advice is available to health authorities and clinicians in two publications drawn to the attention of the NHS in 1992:

(a) The Effective Health Care Bulletin on management of subfertility, published for the NHS Management Executive by a consortium of Leeds and York Universities and the Research Unit of the Royal College of Physicians.

(b) The Royal College of Obstetricians and Gynaecologists publication "Infertility—Guidelines For Practice".

Copies of the documents are available in the Library.

Mr. Couchman: To ask the Secretary of State for Health (1) what advice the West Kent health authority has sought from her Department as to the most cost-effective and cost-efficient means of providing for infertility investigation and treatment in its area;

(2) what provision is made for *(a)* infertility investigation and *(b)* infertility in West Kent health authority.

Mr. Sackville: This is a matter for West Kent health authority. My hon. Friend may wish to contact Mr. Peter Edgely, the chairman of the authority, for details.

The national health service provides a wide range of treatments for subfertility. Individual health authorities determine priorities in the light of local needs and circumstances. Advice is available to health authorities and clinicians in two publications drawn to the attention of the NHS in 1992:

(a) The Effective Health Care Bulletin on management of subfertility, published for the NHS Management Executive by a consortium of Leeds and York Universities and the Research Unit of the Royal College of Physicians.

(b) The Royal College of Obstreticians and Gynaecologists publication "Infertility—Guidelines For Practice".

Copies of the documents are available in the Library.

Dr. Lynne Jones: To ask the Secretary of State for Health (1) what provision is made for infertility investigation in *(a)* the South Birmingham district health authority area and *(b)* the area covered by West Midlands Health.

(2) what is the provision for infertility treatment in *(a)* the South Birmingham district health authority area and *(b)* the area covered by West Midlands Health.

(3) whether the South Birmingham district health authority has sought advice from her Department on the most cost-effective and cost-efficient means of providing for infertility investigation and treatment in its area.

Mr. Sackville: This is a matter for individual health authorities. The hon. Member may wish to contact Mr. B.

Stoten, chairman of South Birmingham health authority and Mr. B. Edwards, chairman of West Midlands regional health authority for further information.

The national health service provides a wide range of treatments for subfertility. Individual health authorities determine priorities in the light of local needs and circumstances. Advice is available to health authorities and clinicians in two publications drawn to the attention of the NHS in 1992:

(a) The Effective Health Care Bulletin on management of subfertility, published for the NHS Management Executive by a consortium of Leeds and York Universities and the Research Unit of the Royal College of Physicians.

(b) The Royal College of Obstetricians and Gynaecologists publication "Infertility Guidelines for Practice".

Copies of the documents are available in the Library.

General Practitioners

Ms Primarolo: To ask the Secretary of State for Health if she will make a statement on the recruitment of general practitioners.

Dr. Mawhinney: The number of general practitioners is at an all-time high and has risen from 21,357 at 1 October 1979 to 26,289 at 1 October 1993, an increase of over 23 per cent.

Ms Primarolo: To ask the Secretary of State for Health if she will make a statement on stress among general practitioners.

Dr. Mawhinney: Family doctors deliver a high standard of care across a wide range of services. We recognise that the responsibility for maintaining high-quality services can lead to stress in some doctors and we have recently agreed to provide financial support for a study by the Royal College of General Practitioners into the effects of stress on general practitioners.

Cataract Surgery

Mr. Gareth Wardell: To ask the Secretary of State for Health what *(a)* percentage discount rates and *(b)* special offers have been offered by each national health service trust provider in England to GP fundholders who place block orders for cataract surgery; and if she will indicate the thresholds at which the discount changes.

Dr. Mawhinney: These are local contractual matters between individual national health service trusts and general practitioner fundholders and district health authorities as purchasers.

Nursing Homes

Mrs. Browning: To ask the Secretary of State for Health what response she has made following the report by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting on standards of nursing in nursing homes; and if she will make a statement.

Mr. Bowis: I welcome the clear statement by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting that the vast majority of residents of nursing homes are looked after well. I share the UKCC's concern about the rare cases where abuse or neglect by nursing staff occurs. Any single such case is a betrayal of nursing trust.

I endorse the practical advice given in the report and the messages that it sends to the nursing profession, to nurse trainers, to managers and matrons of nursing homes and to district health authorities as responsible for inspections and registration under the Registered Homes Act 1984.

We shall be seeking to ensure that lessons are learned and advice carried forward, in the light of this report, by nurses' representatives, trainers, supervisors and inspectors.

The message of this report is that the number of incidents leading to disciplinary proceedings against a nurse in a nursing home is small in relation to the considerably increased number of residents in nursing homes over the past years.

Nevertheless, we believe that one case is a case too many.

Care in the Community

Ms Primarolo: To ask the Secretary of State for Health if she will list each housing association which is contracted to provide social services under the care in the community programme.

Mr. Bowis: Contracts for social care are made by individual social services authorities in accordance with the needs of their areas.

Ms Primarolo: To ask the Secretary of State for Health if she will itemise each community care service for which there is a charge and indicate the variation in charges found within England.

Mr. Bowis: Local authorities are required to make charges for adults for whom they arrange residential accommodation. The amounts payable in charges vary depending on the actual costs of the accommodation and the resources of each resident. Local authorities have discretion about the amount charged for short-stay residents. They also have discretionary powers to make charges for non-residential services. There is no requirement to inform the Department about individual charges.

Ms Primarolo: To ask the Secretary of State for Health what estimate she has undertaken of the effect of the homelessness legislation review on her care in the community policy; and if she will make a statement.

Mr. Bowis: The Department has been fully involved in the review of access to local authority and housing association tenancies. The Government's conclusions, when announced, will take into account the implications for the policy areas, including care in the community.

Health Expenditure

Ms Primarolo: To ask the Secretary of State for Health, pursuant to her answer of 26 May, *Official Report*, columns *294-95*, (1) if she will list all the factors, and their relative weights, taken into account when determining per capita spending by district health and family health services authority;

(2) pursuant to her answer of 26 May, *Official Report*, columns *294-95*, regarding per capita spend by health authorities, what factors determined the relative allocation to *(a)* Preston and *(b)* Newham.

Dr. Mawhinney: The figures for per capita spending were calculated by dividing the total expenditure for each authority—from the provisional 1992-93 accounts—by the crude population figures, mid 1992 estimates, for each respective authority.

It is the responsibility of regional health authorities to make allocations to district health authorities and to family health services authorities for cash-limited expenditure. The majority of FHSA expenditure is determined by demand for services and there are no predetermined allocations.

Organ Donation

Mr. Churchill: To ask the Secretary of State for Health what is her best estimate of the numbers of patients in end-stage renal failure dying each year due to non-availability of sufficient donor organs; what steps she is taking to reduce destruction of such organs; and if she will enter into discussions with the medical profession with a view to establishing an organ transplant opt-out register in place of the current donor cards.

Mr. Sackville: Information is not available centrally on the number of people who die while awaiting a kidney transplant. People awaiting kidney transplants may live for many years and may die from causes other than kidney failure. The Government are continuing to take a number of initiatives to increase the number of donor organs available for transplant. The Department of Health is in regular contact with the medical profession on this subject but the legislation for the presumption of consent unless otherwise indicated, regardless of the views of relatives, does not have widespread support.

EDUCATION

Academic Work Force

Mr. Dalyell: To ask the Secretary of State for Education, pursuant to his oral answer of 29 March to the hon. Member for Feltham and Heston (Mr. Keen), *Official Report*, column 787, what study he is making of the age profile of the academic work force.

Mr. Boswell: It is for universities and colleges as employers to consider in the first instance the age profile of their academic staff. My right hon. Friend will continue to keep the general situation under review, in the light of any advice from the Higher Education Funding Council for England.

TREASURY

National Debt

Mr. Simon Hughes: To ask the Chancellor of the Exchequer whether the United Kingdom's level of non-marketable debt minus national savings has increased in line with Government estimates for each of the last 15 years.

Mr. Nelson: Non-marketable debt represents only a small proportion of total Government debt. Figures for the components of national debt at end-March, including sterling non-marketable debt and national savings, are published annually in the Bank of England's quarterly bulletin debt article—see the November 1993 edition for end-March 1993. Sterling non-marketable debt excluding national savings, calculated from these articles, for the last 15 years are given in the table:

Sterling non-marketable debt excluding national savings

End-March	*£ million*
1979	1,575
1980	821
1981	1,410
1982	1,968
1983	3,002
1984	3,171
1985	3,704
1986	4,205
1987	3,239
1988	3,529
1989	2,869
1990	3,591
1991	3,389
1992	3,275
1993	4,096

There are no official forecasts of Government debt by instrument.

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Mr. Nelson: No specific instructions are issued to security staff; it is the practice for anyone causing a nuisance to be asked to move on. No problems have been experienced in the past three months.

Company Dividends

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what proposals he has for encouraging companies to retain profits rather than distribute them as dividends.

Mr. Nelson: The Chancellor has no plans to intervene in the control of dividends.

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what was the average level of dividends of the top 50 companies in each of the last 10 years.

Mr. Nelson: The Treasury does not monitor individual company results and does not have this information.

Wages

Ms Jowell: To ask the Chancellor of the Exchequer what was the average price of 20 cigarettes, the average gross weekly wage for adult male manual workers and the proportion of the latter represented by the former in each year since 1964.

Mr. Nelson: The table shows available data.

Average retail price Cigarettes (20)				
Year	Type of cigarette	Pence	Average gross weekly earnings of men Full-time manual Great Britain £	Average cost of 20 cigarettes as a percentage of weekly earnings Per cent.
1964	Plain	24·6	—	—
1965	Plain	27·1	—	—
1966	Plain	27·1	—	—
1967	Plain	27·1	—	—
1968	Filter tip	24·2	—	—
1969	Filter tip	25·8	—	—
1970	Filter tip	26·2	26·40	0·99
1971	Filter tip	27·0	29·00	0·93
1972	Filter tip	26·5	32·30	0·82
1973	Filter tip	26·5	37·60	0·70
1974	Filter tip	32·0	43·00	0·74
1975	Filter tip	42·0	54·90	0·77
1976	Filter tip	45·0	64·20	0·70
1977	Filter tip	55·0	70·50	0·78
1978	Filter tip	57·0	79·60	0·72
1979	Filter tip	67·0	91·70	0·73
1980	Filter tip	72·0	110·10	0·65
1981	Filter tip	97·0	120·20	0·81
1982	Filter tip	106·0	131·90	0·80
1983	—	—	141·60	—
1984	—	—	152·70	—
1985	—	—	163·60	—
1986	—	—	174·40	—
1987	King size filter tip	144·0	185·50	0·78
1988	King size filter tip	149·0	200·60	0·74
1989	King size filter tip	152·0	217·80	0·70
1990	King size filter tip	168·0	237·20	0·71
1991	King size filter tip	191·0	253·10	0·75
1992	King size filter tip	209·0	268·30	0·78
1993	King size filter tip	229·0	274·30	0·83

Notes:

1. Average retail prices of cigarettes prior to 1971 have been converted to decimal equivalent.
2. Average cigarette prices 1983-86 and earnings prior to 1970 are not available.

Source: Retail Prices (CSO).
New Earnings Survey (ED).

Exchange Rates

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what his estimate is of the change in the real exchange rate as measured by relative unit values of exports to *(a)* European Union countries and *(b)* the rest of the world from January 1993 to the latest available date.

Mr. Nelson: I refer the hon. Member to the answer that I gave him on 21 March 1994, *Official Report*, column *15*, which provides references to exchange rate and export price data for Community and other countries, which can be used to calculate the information requested.

Economic Forecast

Mr. Watts: To ask the Chancellor of the Exchequer when he expects to publish the Government's latest economic forecast.

Mr. Kenneth Clarke: Under the terms of the Industry Act 1975 the Government have to publish two forecasts a year. Following the move to a unified Budget, forecasts will be published in the summer and in the Budget in November. The first summer forecast will be published on 28 June. Copies will be available from the House of Commons Vote Office at 11 am.

DUCHY OF LANCASTER

Citizens Charter

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster what mechanisms exist for the independent monitoring of charter standards; and if he will give details of the mechanism for each public service covered by a charter.

Mr. David Davis: Under the citizens charter, each public service organisation is responsible for setting its own charter standards and ensuring that they are monitored. The public services publish details of actual performance against standards on a regular basis. Later this month, for example, the Department of Health will publish comparative information on the performance of health authorities. In November, the Department for Education will again publish performance tables for schools and colleges with students in the 16 to 18 age range. London Underground publishes four-weekly performance figures against its charter targets, and British Rail publishes four-weekly performance figures for the punctuality and reliability of lines.

The citizens charter second report published in March 1994 reports generally on the progress achieved in improving standards of service and gives details of new commitments made under the charter.

TRADE AND INDUSTRY

Plug and Socket Harmonisation

Mr. Austin Mitchell: To ask the President of the Board of Trade what action he will take on the conclusions of reports which he commissioned on plug and socket harmonisation on the level of disruption and costs to industry, customers and the time taken for benefits to accrue.

Mr. McLoughlin: The European Committee for Electrotechnical Standardisation—CENELEC—the body responsible for electrical standards in Europe, has referred the proposed standard back to the relevant technical committee for further work. The study recently undertaken by the Building Services Research and Information Association for my Department will provide a useful factual background for comments from consumers and industry if and when a draft standard is issued for national consultation.

Competitiveness White Paper

Mr. Austin Mitchell: To ask the President of the Board of Trade further to his White paper "Competitiveness: Helping Business to Win", what evidence he has in respect of profit levels of *(a)* United Kingdom manufacturers and *(b)* major foreign based manufacturers; and what was the estimated return on capital in manufacturing industry for each year since 1970 in (i) the United Kingdom and (ii) other major Organisation for Economic Co-operation and Development countries.

Mr. Sainsbury: For the United Kingdom, the gross trading surplus of manufacturing companies and public corporations plus income from self-employment from manufacturing can be obtained from table 2.2 of the Central Statistical Office Blue Book. The rate of return on capital employed by manufacturing companies is shown in CSO Bulletin 64/93 "Profitability of UK Companies (1962-1992)".

Table 14 of the OECD's "National Accounts 1993" contains information on the operating surplus and rates of return on capital employed in manufacturing for OECD countries. These figures are on a slightly different basis from those published by CSO, and are provided for a variety of years.

Copies of all the above-mentioned publications are available in the Library of the House.

Cabling

Mr. Gordon Prentice: To ask the President of the Board of Trade if he will list the areas of the United Kingdom which have been cabled to date and those areas which are programmed for cabling over the next 12 months.

Mr. McLoughlin: To date, 125 franchises have been licensed, covering 14·5 million homes. Services are now being offered in 65 of these franchises and cable networks now pass over 3 million homes. The cable operators will continue to build out their franchises over the course of the next few years in line with the build obligations set out in their licences. The Department does not hold precise details of the areas which have been cabled, and the construction plans of the cable operators for the next 12 months are primarily a matter for the companies themselves.

Post Office

Ms Ruddock: To ask the President of the Board of Trade if he will make it his policy that the articles for the blind facility will remain a Freepost service following any reorganisation of the Post Office.

Mr. McLoughlin: The Government are well aware of the importance of the free postage facility currently offered by the Royal Mail for articles for the blind. The Green Paper on the Post Office, which is due to be published shortly, will, therefore, make clear that, under any option, the Royal Mail will be required to continue to offer this valued service.

Mr. Chris Smith: To ask the President of the Board of Trade what approval is required from institutions of the European Union, and in what form, for the zero-rating of VAT on postage for letters and parcels in the event of privatisation or part-privatisation of the Post Office.

Mr. McLoughlin: Arrangements in respect of VAT and postal services need to conform with EC VAT legislation and, in particular, the sixth EC VAT directive, which provides VAT exemption for the universal letter and parcel services. In the light of discussions with the European Commission, as well as earlier jurisprudence of the European Court of Justice, the Government are satisfied that privatisation would not mean the imposition of VAT on these services. The Government have made it clear that, under any option that they finally adopt, stamps will continue to be free of VAT.

Fire Safety

Mr. Amess: To ask the President of the Board of Trade (1) if he will publish the scrutiny team's report and evidence;

(2) what assessment he has made of the adequacy of consideration given to the views of the Fire and Rescue Service in the present deregulation of fire safety legislation.

Mr. Neil Hamilton: The Fire and Rescue Service has taken every opportunity to make its views known to Government and the fire safety review team during the widespread consultation on the review of fire safety legislation and enforcement. I know that the review team has found these and others' comments constructive and comprehensive.

On the question of publication of the review team's report, I have nothing to add to the answer given to the hon. Member for Wentworth (Mr. Hardy) on 14 June, *Official Report*, columns *427-28*.

Mr. Spellar: To ask the President of the Board of Trade, when he expects to publish the inter-departmental report on fire safety scrutiny.

Mr. Neil Hamilton: I refer the hon. Member to the answer given to the hon. Member for Wentworth (Mr. Hardy) on 14 June, *Official Report*, columns *427-28*.

Environmental Information

Mr. Ainger: To ask the President of the Board of Trade how many requests he has received for environmental information under the Access to Environmental Information Regulations 1992; and how many requests were refused on grounds of commercial confidentiality.

Mr. McLoughlin *[holding answer 14 June 1994]:* The Department has to date received around 187 requests for information under the Environmental Information Regulations 1992, none of which have been refused on grounds of commercial confidentiality.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 16 June.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Iraq

Mr. Dalyell: To ask the Prime Minister, pursuant to his letter of 13 May to the hon. Member for Linlithgow, if he will make an assessment of the background work and credentials of Mr. Max van der Stoel for making a report on Iraq.

The Prime Minister: Mr. van der Stoel is the United Nations special rapporteur on Iraq. It is for the chairman of the Commission on Human Rights to appoint special rapporteurs, who must be impartial. Mr. van der Stoel's international reputation and his wide experience of human rights issues make him an excellent choice as rapporteur on human rights in Iraq.

ENVIRONMENT

Conservation Bodies

Mr. Gerrard: To ask the Secretary of State for the Environment if he will publish the summary of responses received by his Department as part of the consultation process following his proposal to merge English Nature and the Countryside Commission for England.

Mr. Atkins: A summary of the responses received will be placed in the Library of the House once an announcement has been made on the outcome of the study.

Land Use, West Midlands

Dr. Lynne Jones: To ask the Secretary of State for the Environment what plans he has to protect green-field sites in the west midlands region.

Mr. Baldry: The Secretary of State will continue to uphold policies that protect the green belt and open countryside in the west midlands. He will maintain his commitment to urban regeneration and will stress the importance of accommodating any necessary development within urban areas wherever possible.

Dr. Lynne Jones: To ask the Secretary of State for the Environment what advice he has received as to a need for the release of land for house building in the west midlands.

Mr. Baldry: The West Midlands Forum of Local Authorities has recently submitted advice to the Secretary of State. The forum estimated that 275,000 additional dwellings would be required in the region between 1991 and 2011.

Housing Demand, West Midlands

Dr. Lynne Jones: To ask the Secretary of State for the Environment what is his estimate of the demand for new private sector housing in the west midlands.

Sir George Young: The Secretary of State will set out his view of the need for new housing in the region in the forthcoming consultation draft of regional planning guidance. That need is based on a number of different factors and will be met by housing of a variety of tenures.

County Hall (Sale)

Ms Ruddock: To ask the Secretary of State for the Environment which parts of the county hall complex have been sold; and which parts remain unsold.

Mr. Baldry: The riverside or "main" building has been sold. The remainder of the county hall land and buildings at present remain unsold.

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the Secretary of State for the Environment what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Mr. Baldry: My Department's standing instructions do not contain anything specifically related to the categories mentioned, nor have there been any problems in the last three months.

Urban Air Quality

Mr. Tipping: To ask the Secretary of State for the Environment when he intends to establish an urban air quality monitoring station in the Nottingham area; and if he will make a statement.

Mr. Atkins: We take advice on this matter from the quality of urban air review group and as priorities develop over the next three years, we will consult the review group on the location of monitoring sites.

Building Research Establishment

Mr. Whittingdale: To ask the Secretary of State for the Environment if he will publish the current key performance targets for the Building Research Establishment.

Mr. Baldry: The Building Research Establishment is working to the following key targets for 1994-95:

£920,000 net contribution to the Exchequer
income to cover full economic costs on a trading basis
gross non-Exchequer income of £3·6 million
taking into account changes in BRE's charging policy, an improvement of 3 per cent. in the average daily cost of commissions.

TRANSPORT

Transport Council

Mr. Llew Smith: To ask the Secretary of State for Transport what matters were discussed and what decisions taken at the European Transport Council on 13-14 June in Luxembourg; and how the United Kingdom voted on matters decided by vote.

Mr. Dunn: To ask the Secretary of State for Transport what was the outcome of the Transport Council in Luxembourg on 13 and 14 June.

Mr. MacGregor: The Transport Council met in Luxembourg on 13 and 14 June. I represented the United Kingdom.

On the first day, the Council discussed a number of maritime safety issues and reached a common position on proposals on the training of seafarers, minimum standards for ship classification societies and lower port fees for environmentally friendly oil tankers.

I gave a presentation on the Donaldson report into the Braer incident off Shetland. I emphasised three recommendations of special interest: port state control, improved ship identification using transponders and emphasis on the "polluter pays" priniciple. I received strong support from all member states and the Commission, which felt that the report was a very positive basis for future work on maritime safety and agreed to further detailed discussion by the Council.

Other items discussed included maritime competition, freedom to provide maritime services and maritime relations with west Africa.

On the second day, the Council reached provisional agreement, subject to a United Kingdom parliamentary scrutiny reserve, on a common position on a directive harmonising conditions for transport of dangerous goods by road. The Netherlands and Spain entered abstentions.

The Commission presented a communication on the way forward for civil aviation in Europe, drawn up in response to the wise men's report published in January of this year. I welcomed the Commission's paper, while emphasising the importance of elimination of state aids and full implementation of the third package of aviation liberalisation measures.

Among the other items discussed was a proposed measure that aims to establish common criteria for allocating train paths to operators and charging for access to the railway network. I argued that the scope of the measure should be limited to international services and drew attention to the special treatment that would be needed where traffic rights had already been laid down —for example, the channel tunnel—or where necessary to get new infrastructure built. The Council also discusssed, but made little progress on, mandates for road transport negotiations with eastern Europe and transport negotiations with Switzerland.

Under any other business, I reported on the review recently undertaken by the United Kingdom into the provision of seat belts in coaches and minibuses. My conclusion from this report was that there was now a good case for requiring the fitting of seat belts to new vehicles. I emphasised the importance of this issue for road safety and asked how work was progressing within the Commission. In its response, the Commission informed the Council that it was working on a directive that would introduce new roof rigidity standards and emergency exit requirements. Existing seat belt legislation was also being reviewed under the guidance of a group of experts and a separate proposal covering the fire resistance of materials was being examined. The Commission was committed to having all these proposals on the table by the end of 1994.

Two votes were taken. On the dangerous goods directive, as noted above, I entered a parliamentary scrutiny reserve and the Netherlands and Spain abstained. On the seafarers' training proposal, Italy abstained.

Driving Tests

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what is the estimated *(a)* demand and *(b)* cost to public funds of motorcycle tests over the next three years; what is the cost to the Driving Standards Agency of providing personal protective equipment to each motorcycle examiner; and what is the type and cost of the motorcycles used for the tests;

(2) if he will list the reasons for which the block booking of heavy goods vehicle driving tests has been discontinued by the Driving Standards Agency; and if he will make a statement.

(3) if he will list the number of *(a)* motorcycle tests and *(b)* "L" tests conducted at Evesham during the last 12 months and the comparable period for the previous three years; and for how many days a week examiners are employed at Evesham.

(4) what were the costs to public funds following the liquidation of the contractor employed to build the new driving test centre at Worcester; what attempts have been made by the Driving Standards Agency to recover this; and if he will list the reasons as to why these costs were not included in the financial report;

(5) if he will list each driving test centre which currently operates a motorcycle test facility; and which of these he intends to close.

Mr. Key: Responsibility for the subject of the questions has been delegated to the Driving Standards Agency under its chief executive, Dr. Ford, and I have asked him to arrange for a reply to be given.

Letter from S. J. Ford to Mrs. Gwyneth Dunwoody, dated 8 June 1994:

Driving Standards Agency

The Secretary of State has asked me to reply to the questions you have raised about DSA's operations.

PQ 2461/93/94

You asked about the costs to public funds following the liquidation of the contractor employed to build the new driving test centre at Worcester, what steps were taken to recover this and why the figures were not included in the Agency's financial report.

Enquiries have been made with the Agency's Managing Agent for the Worcester scheme and with the Contractor Management Information System operated by the Department of the Environment Property Holdings. The Agency has no information to suggest that the contractors concerned with the Worcester scheme have been in receivership or liquidation.

PQ 2462/93/94

You asked which Driving Standards Agency test centres currently provide a motorcycle riding test facility and which of these are to close.

A list of the centres, with those scheduled for closure indicated, is below:

Aberdeen, Balgownie Road
Abergavenny
Aberystwyth
Aldershot
Ammanford
Arbroath
Arran
Ashford (Kent)
Aylesbury
Ayr
Ballachulish
Ballater
Banbury
Banff
Bangor
Barnet
Barnsley
Barnstaple
Barra
Barrow
***Bath (to close on 15 July 1994)**
Bedford
Belvedere
Benbecula
Berwick-on-Tweed
Bettyhill
Birmingham, Kingstanding
Birmingham, South Yardley
Blackburn
Blackpool
Bletchley
Blyth
Bodmin
Bolton
Boston
Bournemouth
Bradford, Wibsey
Bridgend
***Bridgwater (to close on 22 July 1994)**
Brighton
Bristol, Brislington
Broadstairs
Burton-on-Trent
Bury St. Edmunds
Cambridge, Brooklands Avenue
Campbeltown
Cardiff, Cathays Terrace
Cardigan
Carlisle
Carmarthen
Chelmsford
Cheltenham
Chester
Chesterfield
Chichester
Chingford
Chippenham
Chorley
Cleethorpes
Colchester
Coventry, Mason Road
Crawley
Cupar
Darlington
Derby, Sinfin Lane
Derby, Chaddesden
Dingwall
Doncaster
Dorchester
Dumbarton
Dumfries
Dundee
Dunfermline
Durham
Eastbourne
Edinburgh, Joppa
Edinburgh, Parkhead
Elgin
***Evesham (to close on 16 June 1994)**
Exeter
Falkirk
Failsworth
Folkestone
Fort Augustus
Fort William
Fraserburgh
Gairloch
Galashiels
Gateshead
Gillingham
Glasgow, Anniesland
Glasgow, Shawlands
Glasgow, Shettleston
Gloucester
Golspie
Gosport
Grantham
Grantown-on-Spey
Gravesend
Greenford, Ruislip Road
Greenock
Guildford
Halifax
Hamilton
Harrogate
Hartlepool
Haverfordwest
Helmsdale
Hendon
Hereford
Heysham
Hexham
Hinckley
Hornchurch
Horsforth
Hull, Chamberlain Road
Huntly
Inveraray
Inverness
Inverurie
Ipswich
Islay
Isles of Scilly
Keighley
Kendal
Kenton Bar
Kettering
Kilmarnock
King's Lynn
Kingussie
Kirkcaldy
Kyle of Lochalsh
Lairg
Lampeter
Launceston
Leicester, Gipsy Lane
Leighton Buzzard
Lewis
Leamington
Lichfield
Lincoln
Liverpool, Crosby
Llandrindod Wells
Lochgilphead
Loughborough
Lowestoft
Lower Gornal
Macclesfield
Mallaig
Manchester, Cheetham Hill
Melton Mowbray
Merthyr Tydfil
Middlesborough
Minehead

Monmouth
Montrose
Mull
Newcastle-under-Lyme
Newport
Newport (IOW)
Newton Abbot
Newton Stewart
Newtown
Northampton
Northwich
Norwich, Jupiter Road
Nottingham, Gedling
Nottingham, West Bridgford
Oban
Orkney
Oxford
Penzance
Perth
Peterborough
Peterhead
Pinner
Plymouth
Portsmouth
Reading
Redditch
Rhyl
Rotherham (from 1 July 1994)
Rugby
Salisbury
Scarborough
Scunthorpe
Shetland
Shrewsbury
Sidcup
Skye, Portree
Southend-on-Sea
Southampton
Southport
St. Albans
Stirling
Strontian
Sutton
Sutton-in-Ashfield
Swansea
Swindon
Tain
Taunton
Thurso
Tiree
Truro
Tunbridge Wells
Ullapool
Wakefield
Wallasey
Wallington, Old Town Hall
Wellingborough
Wellington
*Wells (to close on 15 July 1994)
Weston-super-Mare
Weybridge
Wick
Widnes
Wigan
Wolverhampton
Worcester (from June 16)
Workington
Worksop
Worthing
Wrexham
Yeovil
York

PQ 2466/93/94

You asked the reasons why the present block booking arrangements were being ended by the Driving Standards Agency and for a statement.

As you may be aware, the Secretary of State for Transport recently tasked all parts of the Department to find 20 per cent. efficiency savings over the next two years and this package of measures will help the Agency to achieve its part. The Agency announced in April a package of measures, to be introduced in October, designed to improve service and reduce costs by an estimated £148,000 annually. The package includes ending the present block booking arrangements. As waiting times for driving tests have continued to fall, the inflexibilities of allowing certain training bodies to reserve blocks of driving tests, without naming candidates or paying the test fee, has become/becoming increasingly uneconomic. Block booking involved DSA operating a parallel booking system with the attendant costs having to be recovered from candidates via the test fee. Also, it was unfair as well as inefficient as it prevented cancelled appointments being used by other prospective candidates and meant that examiner time was wasted, reducing productivity and further increasing costs. The revised arrangement will remove an uncompetitive practice which has been the subject of a recent query from the Office of Fair Trading. Trainers will still be able to plan courses and book tests on behalf of trainees, if that is what their pupils prefer, on payment of the relevant fee.

PQ 2484/93/94

You asked about the estimated demand for and costs to public funds of motorcycle tests for the next three years, the cost of providing examiners with protective equipment and the type and cost of motorcycles used for tests.

The estimated demand for motorcycle tests is between 80,000 and 90,000 for each of the financial years 1994-95, 1995-96 and 1996-97. The Agency is currently conducting a tendering exercise for motorcycles to replace the present lease hire contract. Also a new specification for motorcycle clothing is being considered by the Agency with a view to inviting tenders for supply in Autumn 1994. The precise cost of providing the motorcycle testing service, and the types of bikes to be used, during the next three years will not be known until after the tendering exercises.

PQ 2497/93/94

You asked for the number of motorcycle and car tests conducted at the Evesham driving test centre over the last year and the previous three years as well as how many days a week examiners were employed at the centre. The figures are as follows:

Year	*Cars*	*Motorcycles*
April 1990 to March 1991	2,179	n/a
April 1991 to March 1992	1,906	n/a
April 1992 to March 1993	1,934	155
April 1993 to March 1994	1,760	221

Before April 1992 separate figures for motorcycle tests were not kept for outstation centres such as Evesham, where no driving examiners were permanently based. Examiners based at Redditch have been detached to the Evesham centre for between 2 to 4 days per week, depending on demand.

Jubilee Line

Ms Gordon: To ask the Secretary of State for Transport what is his Department's policy in respect of the proportion of the jobs created by the construction of the Jubilee line extention to be taken up by members of the communities adjacent to the extension.

Mr. Norris: I refer the hon. Member to the answer that I gave on 14 June 1994, *Official Report*, column *523.*

Bus and Coach Safety

Mr. Gareth Wardell: To ask the Secretary of State for Transport what research evidence known to his Department demonstrates that the imposition of a ban on coaches using the third lane on motorways would reduce the risk of accidents.

Mr. Key: The available evidence is referred to in the consultation document issued on 9 May 1994, a copy of which was placed in the Library of the House.

Channel Tunnel Rail Link

Mr. Dunn: To ask the Secretary of State for Transport when he will publish W. S. Atkins's independent review of Union Railways' work on the London terminus of the new channel tunnel rail link.

Mr. Freeman: I have today published W. S. Atkins's report. Copies have been placed in the Library.

EMPLOYMENT

Training and Enterprise Councils

Ms Short: To ask the Secretary of State for Employment what progress has been made in awarding three-year licences to training and enterprise councils; against what criteria TEC bids are being assessed; and if he will make a statement.

Miss Widdecombe: The prospectus which launched the licensing process for training and enterprise councils was published at the end of May. TECs have between now and 1997 to demonstrate that they have met the criteria. We expect that the first licences will be awarded with effect from April 1995.

The criteria cover TEC's corporate plans, strategic impact, programme performance and internal capability.

A copy of the prospectus, "The New Contract Framework: 3 Year Licences", has been placed in the Library.

Mr. Straw: To ask the Secretary of State for Employment how many and what proportion of *(a)* chairmen, *(b)* chief executives and *(c)* board members of training and enterprise councils are women.

Miss Widdecombe: Records held centrally on the numbers and proportion of training and enterprise council chairmen, chief executives and board members in England and Wales who are women show the following:

	Number	*Propertion Per cent.*
Chairmen	3	3·6
Chief Executive	11	13·4
Board Members	120	12·4

FOREIGN AND COMMONWEALTH AFFAIRS

Cyprus

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs under which treaty provisions Cyprus is prohibited from joining the European Union; and if he will make a statement.

Mr. Heathcoat Amory: Under article 0 of the treaty on European Union any European state may apply to become a member of the Union. There is no prohibition in this treaty, or in the treaty of Rome, on Cyprus joining. But there are clearly difficulties in its doing so while the inter-communal dispute remains unresolved. The Council will review Cyprus's application early in 1995 in the light of developments in the inter-communal process. The United Kingdom supports Cyprus's membership application and the Commission's talks with Cyprus to familiarise it with the EC's existing legislation.

Data Protection

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the derogations entered by the United Kingdom Government from the Council of Europe recommendations that pertain to the use of personal data; and what was the reason in each case for such a derogation being entered.

Mr. Heathcoat-Amory: The United Kingdom has entered the following reservations. In each case the reservations were entered because the provisions in question were inconsistent with United Kingdom law, policy or practice.

Recommendation No. R(83)10 on the protection of personal data used for scientific research and statistics (adopted 23/9/1983): the United Kingdom reserved its right not to comply with the recommendation as far as it relates to manually processed data.

Recommendation No. R(85)20 on the protection of personal data used for the purposes of direct marketing (adopted 25/10/1985): the United Kingdom reserved its right to comply or not with the first sentence of paragraph 2.4, the second sentence of paragraph 3.1 and with paragraph 3.3 as a whole.

Recommendation No. R(86)1 on the protection of personal data used for social security purposes (adopted 23/1/1986): the United Kingdom reserved its right to comply or not with the second sub-paragraph of paragraph 1.2, the second sentence of paragraph 3.3 and paragraph 5.

Recommendation No. R(87)15 regulating the use of personal data in the police sector (adopted 17/9/1987): the United Kingdom reserved its right to comply or not with principles 2.2 and 2.4.

Recommendation No. R(90)19 on the protection of personal data used for payment and other related operations (adopted 13/9/1990): the United Kingdom reserved its right to comply or not with paragraph 3.3, 3.4, 5.1.c and 7.1.

Recommendation No. R(91)10 on the communication to third parties of personal data held by public bodies (adopted 9/9/1991): the United Kingdom reserved its right to comply or not with principles 6.2 and 6.3 paragraph 2.

Rwanda

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the United Kingdom is taking as a member of the Security Council to ensure that safe areas are established across Rwanda other than those on the border areas and in Kigali.

Mr. Douglas Hogg: The United Kingdom supported Security Council resolutions 918 and 925 expanding the United Nations Aid Mission in Rwanda force and mandating it to provide support and protection for civilians at risk. Since the situation on the ground is constantly changing, Security Council resolution 925 gives the force commander the flexibility to deploy his force in the way that he considers most likely to enable UNAMIR to fulfil its mandate.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the United Kingdom and other Security Council members are taking to ensure that those responsible for the genocide in Rwanda are held accountable under the 1948 United Nations genocide convention.

Mr. Lennox-Boyd: The United Kingdom has welcomed the appointment by the special session of the United Nations Commission on Human Rights in Geneva on 24-25 May of a special rapporteur. His task will be to gather information on acts which may constitute breaches of international humanitarian law and crimes against humanity, including acts of genocide, and report to the Secretary-General.

The special session also affirmed that all persons who commit or authorise violations of human rights or international humanitarian law are individually responsible and accountable for those violations and that the international community will exert every effort to bring those responsible to justice, while affirming that the primary responsibility for bringing perpetrators to justice rests with national judicial system.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he supports calls for human rights monitors to be deployed as part of the United Nations force in Rwanda; and if he will make a statement.

Mr. Douglas Hogg: The United Kingdom supported the adoption of the recent resolution by the United Nations Commission on Human Rights which, inter alia, called for human rights field officers to be deployed in Rwanda. Proposals for a deployment have not yet been made.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what request the United Kingdom Government have received for logistical assistance with the deployment of UNAMIR troops in Rwanda; and what was their response.

Mr. Douglas Hogg: The United Kingdom, along with other United Nations member states, has received a request to provide logistical support. As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs informed the House on 15 June, *Official Report,* column 615, we are keen and ready to provide such support and are looking with the United Nations at ways in which we can contribute, for example by providing trucks. Since the start of the crisis in Rwanda we have given over £11 million in humanitarian aid.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the emergency session of the United Nations Commission on Human Rights which met on 24 and 25 May to discuss Rwanda.

Mr. Douglas Hogg: We welcomed the outcome of the special session of the United Nations Commission on Human Rights to discuss Rwanda, and in particular its decision to appoint a special rapporteur to investigate the human rights situation, assisted by a team of human rights field officers. We look forward to receiving the first report of the special rapporteur by 24 June.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries which have responded positively to the United Nations Secretary General's appeal for troops to augment United Nations UNAMIR in Rwanda.

Mr. Douglas Hogg: Ghana, Senegal, Ethiopia, Zimbabwe, Nigeria, Congo and Mali have all responded positively to the United Nations Secretary-General's appeal for troops to augment UNAMIR.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the predicted timetable for the deployment of the addition 5,500 United Nations troops to Rwanda as agreed under United Nations Security Council resolution 918.

Mr. Hogg: The Secretary-General's report to the Security Council of 31 May 1994 outlined a three-stage deployment schedule. The first stage, the strengthening of the Ghanaian battalion in Kigali and the deployment of a number of military observers is to begin by mid-July 1994. Phase two, the deployment of one mechanised and one motorised battalion, will take place in close synchronisation with phase 1. The timing of phase three, the deployment of an additional two battalions, will depend upon how the initial deployment of the force unfolds.

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for Foreign and Commonwealth Affairs how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each of the last 10 years by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Goodlad: The information requested by the hon. Member is only available for the past nine years and is as follows:

(a) 159
(b) 25
(c) 0
(d)(i)) 184
(d(ii)) 183 (One application granted but job offer not taken up).

British Prisoners Abroad

Sir Russell Johnston: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British subjects are awaiting trial having been in custody for over one year since arrest in *(a)* other member states of the European Union, *(b)* Belgium, *(c)* Denmark *(d)* France, *(e)* Germany, *(f)* Greece, *(g)* Italy, *(h)* the Netherlands, *(i)* Portugal and *(j)* Spain.

Mr. Lennox-Boyd: The following numbers of British citizens have been awaiting trial in custody for over one year since arrest:

	Numbers
(a) Belgium	1
(b) Denmark	0
(c) France	10
(d) Germany	4
(e) Greece	0
(f) Italy	0
(g) Netherlands	5
(h) Portugal	4
(i) Spain	40
(j) European Union	64

British Prisoners Abroad

Sir Russell Johnston: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British subjects are awaiting trial having been in custody for over two years since arrest in *(a)* other member states of the European Union, *(b)* Belgium, *(c)* Denmark, *(d)* France, *(e)* Germany, *(f)* Greece, *(g)* Italy, *(h)* the Netherlands, *(i)* Portugal and *(j)* Spain.

Mr. Lennox-Boyd: The following numbers of British citizens have been awaiting trial in custody for over two years since arrest:

	Numbers
(a) European Union	15
(b) Belgium	0
(c) Denmark	0
(d) France	2
(e) Germany	0
(f) Greece	0
(g) Italy	0
(h) Netherlands	0
(i) Portugal	0
(j) Spain	13

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Mr. Goodlad: No specific instructions are given to FCO security staff for dealing with anyone sleeping rough in doorways of our buildings or with beggars. We have had no problems with either category.

EC Directives

Mr. Lidington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of the record of member states in implementing EC directives; and how many times the Commission took member states to court in the years 1983 to 1993.

Mr. Heathcoat-Amory: These figures were published in the Commission's 1993 report on application of Community law, available in the House Library. They are as follows:

Member States	*Percentage of Directives Implemented as at 31 December 1993*	*Number of Referrals to Court 1989-1993*
United Kingdom	92·3	10
Belgium	90·7	48
Denmark	95·4	5
Germany	88·9	19
Greece	88·1	37
Spain	90·1	20
France	89·7	21
Ireland	88·7	17
Italy	88·9	102
Luxembourg	90·7	39
Netherlands	92·4	24
Portugal	89·2	6

AGRICULTURE, FISHERIES AND FOOD

Milk Marketing Board

Mr. Marland: To ask the Minister of Agriculture, Fisheries and Food when she will announce a decision on the milk marketing board's reorganisation scheme; and if she will make a statement.

Mrs. Gillian Shephard: The Agriculture Act 1993 gave to me and my right hon. Friend the Secretary of State for Wales the task of deciding on a milk marketing reorganisation scheme submitted by the England and Wales milk marketing board. Since receiving the board's application last October we have conducted two formal rounds of consultation and held discussions with the European Commission, the board itself, the Dairy Trade Federation and other parties whose interests are at stake. We have given full consideration to the many and complex issues involved as required by the Act.

I am able to announce today that we have informed the board of the modifications which we considered necessary to enable us to grant its application for approval. The board has agreed to them and we have granted approval. The industry is therefore poised to take a great step forward.

Under the now approved reorganisation scheme the existing milk marketing scheme will come to an end on 1 November 1994. From that date, producers will be free to sell their milk wherever they wish, while dairies and other purchasers will be free to buy direct from producers. The present system of managed markets and end-use pricing will be replaced by the normal disciplines of a competitive market. Our industry will have greater freedom to compete on level terms within the wider European market.

It is evident that the full benefits of competition could more rapidly be achieved if Community milk quotas were abolished so that production could expand as the reward for success. This remains an important Government objective but not one which can be accomplished overnight. In the meantime I shall continue to press at next week's Council of Agriculture Ministers for milk quota to be made tradeable between producers in different member states.

Up to 1 November 1994, which is vesting day under the board's reorganisation scheme, the requirement for producers to sell their milk to the board remains in force. But after 1 November those producers who continue to want the security of collective marketing will have a number of options. They can form their own marketing groups, as many are already doing in anticipation of the ending of the milk marketing scheme; they can form an association with a particular purchaser; or they can join Milk Marque, the board's successor marketing body under the reorganisation scheme.

The scheme provides for Milk Marque to inherit certain assets of the MMB, including a sum of cash, property, staff and laboratories. It will not inherit Dairy Crest, which is to be floated on the stock market as an independent company. Nor will it inherit Genus, which is to become an independent company with all the shares distributed to producers. National Milk Records will remain with the residuary body for an initial period pending decisions on its longer-term future.

The total market value of the assets to be passed to Milk Marque is around £39 million. In considering whether this transfer was acceptable, my right hon. Friend and I had to balance two considerations in particular. The first was the importance that we both attach to ensuring, in the interests of producers, that Milk Marque has a sound financial base. The second was the need to ensure fairness as between those producers who join the new body and those who do not. We are satisfied that the outcome is a satisfactory balance. Milk Marque will have an adequate asset base but will be required to issue interest-bearing certificates of entitlement so that producers who choose not to join will receive their full share of the value of transferred assets.

I know that many purchasers are opposed to the establishment of a body such as Milk Marque which may have a large share of the market for raw milk in England and Wales. My right hon. Friend and I have considered Milk Marque's proposed trading practices, as we are required to by the Act, and have concluded that, taking account of the amendments made by the board to its October proposals, it does, indeed, take account of the interests of purchasers. Many, if not most, of the fears of the purchasers relate to the possibility of Milk Marque's abusing its market power in a discriminatory or otherwise unfair manner. Milk Marque will, however, be aware that it is under continuous scrutiny and will be well advised to conduct itself in such a way that there are no grounds for complaint. My right hon. Friend and I look to the Office of Fair Trading and the European Commission to monitor the situation closely and to act decisively if the need should arise.

A great deal now has to be accomplished in a short time. Producers who have already signed contracts with Milk Marque, and wish to reconsider, have two weeks from today, that is until 30 June, to give Milk Marque written notice in order to secure release from their contract without paying compensation. I would however urge all producers to come to a decision on who they are going to sell to, and sign up, by four weeks from now. That will give the dairy companies, Milk Marque and others the ability to plan their sales and purchases from 1 November with the maximum of confidence. That is very much in the interests of consumers. It is also important for the flotation prospects of Dairy Crest, in which producers have a particular interest under the scheme.

My right hon. Friend the Secretary of State for Wales and I will be laying regulations before Parliament to establish the constitution of the residuary MMB which will deal with the MMB's remaining rights and obligations on behalf of producers after vesting day. It is our intention that the residuary body should be required to have due regard to the financial interests of milk producers. It will be answerable to them and not to Government. There will be a strong producer presence on the new board.

I am pleased to be able to announce also that we shall be laying an order to establish a milk development council for England and Wales. This is in response to proposals submitted by the National Farmers Union. The object of the council will be to continue certain functions of the MMB, such as the financing of reseach and development, which would otherwise be likely to lapse. In order to establish how much support for such a body exists among producers my right hon. Friends the Secretaries of State for Scotland and Wales and I recently carried out a postal ballot of producers in Great Britain. In England and Wales 67 per cent. of the forms sent out were returned. Some 74 per cent. of those voting favoured the establishment of a development council. The Secretary of State for Wales and I conclude that this meets the requirement for substantial support set out in the relevant Act. We hope that a development council will be operational from 1 November or soon after. My right hon. Friend the Secretary of State for Scotland is considering whether Scotland should join in.

The granting of approval of the board's reorganisation scheme opens up the prospects of a brighter future. I am pleased, therefore, that the board has agreed to take an important step towards clearing up some of the unfinished business of the past by setting up an arbitration mechanism to deal with claims by certain producers against payment of levy on direct sales of low-fat milk from 1 January 1992. This follows the decision of the European Court of Justice in March that low-fat milk comes within the board's purchasing monopoly. It has been argued that some producers have claims, based in particular on the principle of legitimate expectations, which should limit their levy liability. The board's decision is intended to establish a more flexible and less expensive means of resolving the issues than would be available through the courts. I very much welcome it.

Returning to the board's reorganisation scheme, the Act requires the principles of the approved scheme to be published. We have already published more detail of the proposed scheme than the Act requires in our March consultation document. We are now depositing in the Library of the House two further documents setting out the effects of amendments to the reorganisation scheme submitted by the MMB since March and of the modifications proposed by myself and the Secretary of State and accepted by the board.

HOUSE OF COMMONS

Facilities (Children)

Mr. Gapes: To ask the Chairman of the Accommodation and Works Committee what plans he has to improve facilities for children of hon. Members and visitors including changing facilities for babies in the House and its out-buildings.

Mr. Ray Powell: I understand that child care facilities for Members and staff are at present under consideration by the Administration Committee and the House of Commons Commission. The Accommodation and Works Committee would be prepared to examine accommodation requirements arising from any decisions that are taken.

The provision of facilities for the families of Members was among the bids put forward for space in the phase 2 building. The Committee has yet to decide to what extent that request can be accommodated within the limited space available. No change is at present contemplated for the families room. I am confident that the issue of changing facilities for babies will be considered in the context of any planned development of appropriate accommodation.

NATIONAL HERITAGE

Civil Servants (Outside Appointments)

Mr. Milburn: To ask the Secretary of State for National Heritage how many job offers were reported by staff in his Department under the requirements of the rules on the acceptance of outside appointments in each year since its establishment by *(a)* staff of grade 3 and above, *(b)* staff below grade 3, *(c)* staff in sections concerned with procurement or contract work, under section 15 of the rules of 1 February 1993 and *(d)* staff in other sections, under section 14; and how many of these reports were followed by an application to join the company concerned.

Mr. Sproat: The Department of National Heritage has been in existence only since April 1992. To date no job offers have been reported by staff in this Department under the requirements of the rules on acceptance of outside appointments.

Public Consultation

Mr. Kirkwood: To ask the Secretary of State for National Heritage in what circumstances it is his Department's practice, when issuing a public consultation document, to inform those consulted that their responses will be made public unless they explicitly ask for them to be kept confidential; and if he will arrange for his Department to do so in all cases in future.

Mr. Sproat: My Department has not issued any consultation documents where the intention has been to make individual responses available to the public. If such an occasion arose, the Department would make it clear that the response would be made available unless the respondent wished it to remain confidential.

Royal Palaces (Admission Charges)

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage how much has been raised from admission charges to Windsor castle and Buckingham palace.

Mr. Sproat: Gross income, excluding VAT, from admission charges to Buckingham palace state apartments in 1993 was £2·277 million and from admission charges to Windsor castle between 4 January and 31 March 1994 was £0·754 million. Net income from Buckingham palace state apartments and from charges for the precincts of Windsor castle go towards the cost of the restoration of Windsor castle.

Private Members' Bills

Ms Lynne: To ask the Secretary of State for National Heritage on what occasions since April 1992 Ministers from his Department have *(a)* requested parliamentary counsel to assist in preparing amendments to private Members' Bills on behalf of other private Members and *(b)* authorised officials to instruct parliamentary counsel to prepare amendments which were subsequently passed to private Members.

Mr. Sproat: Parliamentary counsel does not draft amendments on behalf of private Members but on the instructions of Departments acting on the authority of Ministers. On that authority, amendments were drafted by parliamentary counsel on instructions from my Department and subsequently made available following the Government's decision to support Lord Perth's Treasure Bill.

Rugby Union

Mr. Hain: To ask the Secretary of State for National Heritage what assistance his Department has given, directly or indirectly, to the sport of rugby union in Wales; and if he will make a statement.

Mr. Sproat *[holding answer 14 June 1994]:* None.

Citizens Charter

Mr. Hinchliffe: To ask the Secretary of State for National Heritage what proposals he has to introduce a citizens charter for participants in sport.

Mr. Sproat *[holding answer 14 June 1994]:* None. The main providers of sports facilities in the public sector are local authorities, a number of whom have been awarded the charter mark for their sports and leisure provision. The Sports Council is working towards a set of charter standards for its own services.

NORTHERN IRELAND

Urban Regeneration

15. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland what plans he has for the regeneration of areas of deprivation in Belfast, South.

Mr. Tim Smith: The recently published strategy proposals for the "Making Belfast Work" initiative sets out how the Government propose to tackle deprivation in Belfast.

Equine Exports

16. **Mr. Harry Greenway:** To ask the Secretary of State for Northern Ireland how many equines were exported from Northern Ireland for human consumption in the past year; what was their value; and if he will make a statement.

Mr. Ancram: There are no exports of equines for human consumption from Northern Ireland direct to Europe. Horses are exported to both Great Britain and the Republic of Ireland but there is no information available on the number or value of Northern Ireland horses which may be consigned to licensed abattoirs in either country. We will continue to monitor the situation carefully.

Anglo-Irish Talks

17. **Mr. Winnick:** To ask the Secretary of State for Northern Ireland if he will make a statement on the latest discussions he has had with the Irish Government relating to Northern Ireland.

Sir Patrick Mayhew: I periodically meet members of the Irish Government to discuss matters of mutual interest. The last such meeting was with Mr. Spring on 23 May. Our discussions are necessarily confidential but are generally the subject of a joint statement at their conclusion.

21. **Mr. Corbett:** To ask the Secretary of State for Northern Ireland if he will make a statement on the talks he has had with the Irish Government relating to a constitutional framework for Northern Ireland.

Sir Patrick Mayhew: Consultations are continuing with the Irish Government on the construction of a framework conforming to the principles of the joint declaration. This would facilitate a comprehensive political settlement involving the main constitutional parties, and covering all the main relationships in accordance with the statement of 26 March 1991.

24. **Mr. Austin Mitchell:** To ask the Secretary of State for Northern Ireland what proposals he will be putting to the Irish Government for advancing the peace process in Northern Ireland.

Sir Patrick Mayhew: The Government are consulting closely with the Irish Government on the construction of a framework conforming to the principles of the joint declaration which would facilitate a comprehensive political settlement involving the main constitutional parties, and covering all the main relationships in accordance with the statement of 26 March 1991.

28. **Mr. Canavan:** To ask the Secretary of State for Northern Ireland what recent discussions he has had with political leaders from Northern Ireland and the Republic of Ireland about prospects for peace.

Sir Patrick Mayhew: I have continued, with the Minister of State, my hon. Friend the Member for Devizes (Mr. Ancram), to hold such discussions, which necessarily remain confidential.

Inter-party Talks

18. **Sir Thomas Arnold:** To ask the Secretary of State for Northern Ireland if he will make a further statement about the progress of the inter-party talks.

Mr. Ancram: I refer my hon. Friend to the reply I gave to the hon. Members for Glasgow, Rutherglen (Mr. McAvoy) and for Lewisham, East (Mrs. Prentice) earlier today.

Downing Street Declaration

19. **Mr. Wilkinson:** To ask the Secretary of State for Northern Ireland what assessment he has made of the benefits to the security situation in Northern Ireland following the Downing street declaration.

Sir Patrick Mayhew: I assess that the joint declaration, which is a declaration for democracy and against coercion, has beneficially still further isolated from public support and toleration those who employ violence for political advancement within our democracy.

27. **Mr. Robathan:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress on the Downing street declaration.

Sir Patrick Mayhew: I refer my hon. Friend to the answer that I gave earlier today to the hon. Member for Great Grimsby (Mr. Mitchell).

Open Government

20. **Mr. Trimble:** To ask the Secretary of State for Northern Ireland if he will make a statement on the application to the Northern Ireland Office of the policy on open government.

Sir John Wheeler: The Northern Ireland Office is committed to the application of the principles contained within the code of practice on Government information, which came into effect on 4 April 1994.

Security

22. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Northern Ireland if he will make a statement on cross-border security.

Sir Patrick Mayhew: Co-operation north and south of the border on matters of security is a matter of great importance for both Governments, and continues to be very effectively practised.

29. **Lady Olga Maitland:** To ask the Secretary of State for Northern Ireland what recent discussions he has had with the Irish Republic regarding cross-border security.

Sir Patrick Mayhew: I refer my hon. Friend to the answer that I gave earlier today to my hon. Friend the Member for Bexleyheath (Mr. Townsend).

Integrated Schools

23. **Ms Hoey:** To ask the Secretary of State for Northern Ireland what support he is giving to integrated schools.

Mr. Ancram: Integrated schools receive 100 per cent. recurrent funding immediately and become eligible for 100 per cent. capital grants when viability is confirmed. In March 1994, the Department of Education for Northern Ireland provided a £1 million grant to the integrated education fund for the development of integrated education. This is in addition to annual grant aid of some £250,000 to the Northern Ireland Council for Integrated Education.

Domestic Heating

25. **Mr. Clifford Forsythe:** To ask the Secretary of State for Northern Ireland how many Housing Executive houses are heated by *(a)* electricity, *(b)* solid fuel and *(c)* other means.

Mr. Tim Smith: This is a matter for the Northern Ireland Housing Executive but I am advised by the chief executive that there are 25,605 houses heated by electricity, 125,427 by solid fuel and 1,900 by other means.

Inward Investment

26. **Mr. Ian Bruce:** To ask the Secretary of State for Northern Ireland if he will make a statement on the latest figures on inward investment to Northern Ireland.

Mr. Tim Smith: The financial year from 1 April 1993 to 31 March 1994 has been the most successful 12-month period for inward investment since the Industrial Development Board for Northern Ireland was established in 1982.

During the year, 13 projects were secured offering a potential 2,309 jobs. Associated investment in these projects amounts to £259 million.

I am much encouraged by this success, and by the prospects for securing further inward investment for the Province.

Vehicle Registration

Mr. Connarty: To ask the Secretary of State for Northern Ireland what considerations led to the decision to cease the issuing of vehicle registration licences through post offices in Northern Ireland.

Mr. Tim Smith: This is an operational matter for the chief executive of the Driver and Vehicle Licensing Agency, Northern Ireland. I understand that he wrote to the hon. Member on 6 June 1994 setting out the reasons for his decision.

WALES

Nursing Students

Ms Primarolo: To ask the Secretary of State for Wales what were the number of health visitor students and district nurse students in training expressed as whole-time equivalents in March of each year from 1988 to 1993.

Mr. Gwilym Jones: The information available is given in the table:

Students in Training in Wales[1]

Year	*Health visitor*	*Type of Student* *District nurse*	*Enrolled nurse converting*[2]
1988	61	62	32
1969	58	61	25
1990	54	50	—
1991	41	37	6
1992	43	30	19
1993	42	29	14

[1] Number of students, as at March of each year. Figures for whole time equivalents are not available. *Source:* Welsh National Board for Nursing, Midwifery and Health Visiting.

[2] Enrolled nurses who are converting to 1st level district nursing ie qualifying as a district nurse.

Children's Charities

Mr. Martyn Jones: To ask the Secretary of State for Wales what amount of funding his Department has provided for each year since 1991, to *(a)* Church in Wales Children Society, *(b)* Barnadoes in Wales, *(c)* the National Children's Home in Wales *(d)* the National Society for the Prevention of Cruelty to Children Wales/Cymru and *(e)* Save the Children in Wales.

Mr. Gwilym Jones: Under the support for child and family services grant scheme, some of these organisations have had awards to support various projects from 1991-92 to date. The table sets out, where applicable, the total amount granted in each financial year.

	1991-92 £	*1992-93* £	*1993-94* £	*1994-95* £
Church in Wales Children's Society	21,894	82,693·90	112,350·00	89,077
Barnadoes in Wales	5,000	3,000·00	1,531·76	1,531
National Children's Home Action for Children, Cymru	105,459	135,300·00	121,470·00	94,800
National Society for the Prevention of Cruelty to Children, Wales/Cymru	—	—	—	—
Save the Children Fund in Wales	—	—	—	—

Local Government Reorganisation

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales when he intends to issue a Welsh language version of the document on the "Implications of Local Government Reorganisation in Wales for Health Boundaries and Proposals for Restructuring Health Authorities"; if he will make it his policy to issue all consultation documents in bilingual form; and if he will make a statement.

Mr. Gwilym Jones: There are no plans to issue this paper in Welsh.

Water and Sewerage

Mr. Wigley: To ask the Secretary of State for Wales what plans he has to meet representatives of water companies and the Office of Water Services to discuss the replacement of the present system of basing charges for water and sewerage services by reference to the rateable value of properties.

Mr. Gwilym Jones: Decisions on methods of charging are a matter for the water companies in conjunction with the Director General of Water Services. Under existing legislation rateable values cannot be used as a basis for water charging after 31 March 2000.

Radioactive Pollution

Mr. Llew Smith: To ask the Secretary of State for Wales what research is currently being conducted in Wales *(a)* by his Department, *(b)* on behalf of his Department and *(c)* as notified to his Department on the levels of radioactive pollution.

Mr. Gwilym Jones: Full details of the Welsh Office's environmental research programme in Wales is published annually in "Research Wales", copies of which are placed in the Library of the House. Current research projects on radioactivity involve a study of tidal washed pastures on the eastern Irish sea coast, jointly funded with the Ministry of Agriculture, Fisheries and Food, the Department of the Environment and Her Majesty's inspectorate of pollution; and on plutonium in soils in Wales.

As reported in the annual environmental digests for Wales, also placed in the Library of the House, continuous monitoring of radioactivity is carried out on behalf of the Welsh Office by a number of organisations.

Environment

Mr. Llew Smith: To ask the Secretary of State for Wales what further commitments he intends to make to publish further reviews of environmental research and the ranking of priorities of environmental protection initiatives in Wales.

Mr. Gwilym Jones: As stated on page 9 of "The Environment in Wales: Third Report", copies of which have been placed in the Library of the House, a review of environmental research priorities has been completed by the Welsh Office. There are at present no plans for a further specific review but the programme continues to be monitored.

Paragraph 12 of the third report sets out the Government's broad objectives for environmental protection in Wales.

Mr. Llew Smith: To ask the Secretary of State for Wales what efforts were made to publicise the publication of his Department's third report on the environment in Wales.

Mr. Gwilym Jones: A press release was issued by the Welsh Office on 10 May to announce publication of the report. Copies of the report were also sent to a wide range of interests in Wales including all local authorities, public bodies and voluntary organisations. Copies were also placed in the Libraries of the House.

Out-of-town Shopping

Mr. Simon Hughes: To ask the Secretary of State for Wales how many *(a)* out-of-town shopping centres, *(b)* out-of-town warehouse parks and *(c)* warehouse clubs are (i) currently under construction and (ii) have planning permission but have yet to start construction in Wales.

Mr. Gwilym Jones: This information is not held centrally.

GP Fundholders

Mr. Gareth Wardell: To ask the Secretary of State for Wales what quality indications are used by GP fundholders in determining the hospitals at which they will place contracts for their patients.

Mr. Gwilym Jones: The quality measures used to inform the contracting process are a matter for individual GP fundholders. They will include patients charter standards, the quality of clinical care and patient satisfaction.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will place in the Library the details of the circumstances in which GP fund holders cannot refer a patient extra-contractually without the permission of his Department.

Mr. Gwilym Jones: The guidance covering extra-contractual referrals from GP fundholders, for non-fundholding procedures, is the same as that for non-fundholder GPs. The Department is involved where GPs wish to refer patients abroad. All other extra-contractual referrals are subject to health authority procedures, and are not affected by fundholding status.

Ambulance Service

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will place in the Library a copy of the guidelines he issues to chief ambulance officers in Wales on the timing and release of information to the press following a 999 call requiring the attendance of an ambulance at a serious road accident.

Mr. Gwilym Jones: There are no central guidelines for the release of information by chief anbulance officers. In the event of a major incident, the responsibility for dealing with the media lies with the receiving hospital. A copy of the guidelines dealing with such incidents—Welsh Office circular WHC(93)(69)—has been placed in the Library of the House.

Planning

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will issue new guidance on the charging policy of local authorities and on minimum standards for providing access to planning documents by local authorities.

Mr. Gwilym Jones: My right hon. Friend has not issued general guidance on local authority fees and charges and has no plans to do so in the near future.

Section 69 of the Town and Country Planning Act 1990 requires local planning authorities to keep a register of planning applications and to make it available for public inspection. This duty is referred to in planning policy and minerals planning guidance notes produced by the Welsh Office. Welsh Office circular 11/86 gives guidance on the provisions of the Local Government (Access to Information) Act 1985. My right hon. Friend has no proposals to issue new guidance.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will make it a new duty for local authorities to supply copies of planning documents on request.

Mr. Gwilym Jones: No. The Local Government (Access to Information) Act 1985 provides for public inspection of certain background papers about local authority proceedings. The Copyright Designs and Patents Act 1988 removed certain impediments on copyright and permits the copying of material open to public inspection.

Medical Consultants (Merit Awards)

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will place in the Library the names of the medical consultants who currently hold merit awards in Wales; and if he will indicate the grade that each has been awarded.

Mr. Gwilym Jones: Information about the awards status of individual consultants is confidential.

Prostheses

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will make it his policy that any directly managed unit or NHS hospital trust which changes the prosthesis used for hip or knee replacement surgery informs all purchasing authorities before such changes are introduced.

Mr. Gwilym Jones: The type of prostheses used for hip and knee replacements is currently a matter for agreement between commissioning authorities, GP fundholders and hospitals, when agreeing contracts. Commissioners are able to stipulate that they wish to be informed before any changes are made.

Surgical Appointments

Mr. Gareth Wardell: To ask the Secretary of State for Wales how many patients have been re-referred in the last three months from in-patient surgical appointments at the Carmarthen and district NHS trust to the Pembrokeshire NHS trust.

Mr. Gwilym Jones: This is a matter for the health authorities and GP fundholders involved. The information is not held centrally.

Welsh Water

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will place in the Library details of the statutory indemnity existing for Dwr Cymru Cyf in respect of costs, damages and expenses not otherwise covered by insurance arising from claims against Dwr Cymru Cyf on the grounds of harm to health arising solely from fluoridation.

Mr. Gwilym Jones: Arrangements have been made to do so.

Oystermouth Bus Station

Mr. Gareth Wardell: To ask the Secretary of State for Wales when the public planning inquiry was held at the Guildhall, Swansea into the proposed development at the Oystermouth bus station; and on which date he announced his decision.

Mr. Gwilym Jones: The public local enquiry was completed on 16 March 1994. The Secretary of State will announce his decision as quickly as possible after the inspector's report is received.

Home Care Services

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will now issue further guidance to local authorities on the principles to be supplied in determining discretionary charges for home care services.

Mr. Gwilym Jones: Guidance on charging for non-residential social services for adults was issued on 18 January 1994 under cover of Welsh Office circular 4/94. Copies are available in the Library of the House.

Drug and Alcohol Abuse

Mr. Gareth Wardell: To ask the Secretary of State for Wales what sums have been provided by the Welsh Office for health promotion initiatives to combat drug and alcohol misuse in *(a)* 1993-94 and *(b)* 1994-95.

Mr. Gwilym Jones: A number of statutory and voluntary organisations undertake initiatives to combat drug and alcohol misuse as part of their overall remit. It is not possible to disaggregate this expenditure from total allocation. Additional Welsh Office support is provided for specific national activity. In 1993-94, £90,000 was provided and for the current financial year, some £100,000 is available.

Surgery

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will make it his policy that any directly managed unit or NHS hospital trust which introduces a new form of surgical intervention should inform all purchasers before such changes are introduced.

Mr. Gwilym Jones: There is a clear expectation that any significant change or development in the pattern of treatment and care should be subject to a dialogue between hospitals and commissioners prior to their introduction.

Nuclear Installations (Cancer)

Mr. Richards: To ask the Secretary of State for Wales if he will publish the findings of the investigation into the incidence of cancer around Trawsfynydd and Wylfa nuclear installations.

Mr. Redwood: I have today published the report of an investigation into the incidence of cancer around Trawsfynydd and Wylfa nuclear installations over the period 1974 to 1986. I have arranged for copies to be placed in the Library of the House.

The report gives the results of a statistical analysis of the incidence of seven groups of cancer near to the two installations. The results have been examined by the Committee on the Medical Aspects of Radiation in the Environment, which concluded that the study demonstrates that there is no association between the incidence of the cancers studied and residence near Wylfa and Trawsfynydd nuclear installations.

In the light of COMARE's conclusions and advice I do not propose any further investigation of the incidence of cancer in the vicinity of Trawsfynydd and Wylfa nuclear installations. The full text of the committee's advice is as follows.

COMARE STATEMENT

Investigation of the Incidence of Cancer around Wylfa and Trawsfynydd Nuclear Installations

Background

A detailed investigation of the incidence of cancer around the Trawsfynydd and Wylfa nuclear installations has been undertaken by the Welsh Cancer Registry. The study has now been published.

The Study

The object of the study was to investigate the incidence rates from 1974-1986 of the following groupings of cancer: all leukaemias, lymphoid leukaemia, all lymphomas, Hodgkin's disease, multiple myeloma, brain cancer and thyroid cancer. These cancers were selected because of their suggested links with radiation in the medical literature at the time the study was undertaken. The geographical regions were defined as the pre-1974 local authority areas within Gwynedd. The time span was the years for which data were available from the Welsh Cancer Registry. Data were analysed by Stone's method for all ages combined and further analyses of lymphoid leukaemia and thyriod cancer were undertaken for three age groups (0-24 years, 25-64 years and 65 years and over).

Results

(i) For both Trawsfynydd and Wylfa no significant results were found for all leukaemias, all lymphomas, Hodgkin's disease, multiple myeloma, brain cancer or thyroid cancer.

(ii) The analysis of lymphoid leukaemia was undertaken separately for acute lymphoblastic leukaemia (ALL) and chronic lymphocytic leukaemia (CLL). However, in attempting to undertake these analyses account had to be taken of the approximately 9 per cent. of registrations which were recorded neither as ALL (ICD code: 204.0) nor CLL (ICD code: 204.1) but as 'other and unspecified lymphoid leukaemia' (ICD codes: 204.2, 204.8 and 204.9). It was not possible to determine the type of lymphoid leukaemia for such cases and therefore the analysis was undertaken in two ways, either with the cases recorded as unspecified lymphoid leukaemia analysed as if they were all ALL or with the cases recorded as unspecified lymphoid leukaemia analysed as if they were all CLL;

The results analysed in these two ways were as follows:

Acute Lymphoblastic Leukaemia (ALL)

(a) Trawsfynydd. No significant results were obtained.

(b) Wylfa. No significant results for ALL were found for all ages and in the age groups 0-24 and 25-64. If the single case of unspecified lymphoid leukaemia was included as ALL a significant result was obtained in the age group 65 and over (P=0·027, two cases observed in the area containing Wylfa compared to 0·25 expected).

Chronic Lymphocytic Leukaemia (CLL)

(a) Trawsfynydd. No significant results were obtained for CLL when analysis was undertaken for all ages and for the age group 65 and over. Considering the age group 25-64 four cases were observed in the area containing the installation compared to 0·57-0·66 expected with the relative risk decreasing as the distance from Trawsfynydd increased (p<0·01).

(b) Wylfa. No significant results were obtained.

(iii) Data for 1987 and 1988 became available during the period of the study. No further cases of lymphoid leukaemia were recorded in the local authority areas containing either installation.

COMARE'S ADVICE TO GOVERNMENT

COMARE considered and welcomed this study.

The Committee endorsed the statistical methods used.

In interpreting the results on ALL at Wylfa, the Committee noted that the statistically significant increase in ALL rests on a single case of unspecified leukaemia being included as acute lymphoid leukaemia rather than chronic lymphoid leukaemia. It was considered that this finding could be disregarded for the following reasons:

Statistical associaton based on a single case is extremely unreliable.

Placing weight of opinion on a finding based on reclassification of a case of unspecified leukaemia to ALL in the 65 years and over age group was felt to be unreasonable, since in this age group chronic leukaemia is very much more common than acute leukaemia.

Equally, the finding of cases of CLL around Trawsfynydd should not give rise to public concern because:

The overwhelming weight of evidence from international studies leads to the conclusions that CLL is a leukaemia sub-type which has *not* been shown to be associated with, or induced, by ionising radiation. This fact alone should be sufficient to allay concern that environmental radiation might have played a part in causing such cases observed in this study.

CLL is an indolent disease, predominantly of the elderly, which may cause few symptoms over long periods. Diagnosis is often the result of investigation of an unrelated complaint and incidence in a geographical area depends on the intensity of such investigations. Hence the baseline incidence is uncertain, particularly for relatively small areas and it is unwise to calculate rates, raised or otherwise, in subgroups in such areas.

Given the number of statistical tests undertaken on this body of data there is a strong likelihood that at least one subgroup will show a statistical association by chance.

The Committee noted the considerable effort that had been made to confirm the diagnosis in the cases investigated. Further research to establish the diagnosis with greater certainty was not felt to be justified.

The Committee concluded that the study demonstrated no association between the incidence of the cancers studied and residence near Trawsfynydd and Wylfa nuclear stations. No further work to investigate such an association is recommended.

SCOTLAND

Health Care International

Mrs. Fyfe: To ask the Secretary of State for Scotland if it is his policy that Health Care International will be permitted to seek contracts to treat NHS patients; and if he will make a statement.

Mr. Stewart: The Health Care International business plan is based on overseas and private business. If however, health boards wish to use HCI to the benefit of patients and they provide value for money my right hon. Friend would not object to HCI or any other private hospital accepting NHS patients in circumstances where the hospital could offer a specific medical technique not readily available elsewhere or where the NHS saw a need for particular waiting lists to be reduced more quickly than the service itself was in a position to achieve.

European Council

Mr. Welsh: To ask the Secretary of State for Scotland how many meetings of the European Council of Ministers took place in the past year; how many Scottish Office Ministers have attended in each case; which Minister attended; and what was the subject discussed at each of these meetings.

Mr. Stewart: The European Council of Ministers meets on average 125 times each year.

Since the beginning of 1993 Scottish Ministers have attended the following meetings:

Date		*Minister*
25 January 1993	Environment/ Transport Council	Secretary of State
18 March 1993	Fisheries Council	Sir Hector Monro
24 June 1993	Fisheries Council	Sir Hector Monro
20 September 1993	Joint Foreign Affairs/ Agriculture Council	Secretary of State
21 September 1993	Agriculture Council	Secretary of State
20 October 1993	Fisheries Council	Sir Hector Monro
29-30 November 1993	Justice/Interior Issues	Lord Fraser
20 December 1993	Fisheries Council	Sir Hector Monro
12 April 1994	Fisheries Council	Lord Fraser
27-28 May 1994	Justice/Interior issues	Lord Fraser
3-4 June 1994	Regional Policy	Mr. Stewart

In addition to the above, Scottish Office officials have also attended a further 15 Agriculture Councils and four Education Councils since the beginning of 1993.

Agendas for meetings of the Council of Ministers usually cover a number of different subjects, but all within the area of responsibility of the particular Council. Ministers generally report to Parliament on the outcome of discussions at the Council of Ministers.

Raymond Gilmour

Mr. McMaster: To ask the Secretary of State for Scotland what meetings and discussions his right hon. Friend the Minister of State was involved in the prosecution of the case of Raymond Gilmour when the right hon. Gentleman occupied the office of Solicitor-General for Scotland; what were the subjects of discussions; and if he will make a statement.

Lord James Douglas-Hamilton: It is not the policy of the Crown to reveal details of private meetings and discussions between prosecutors. Such matters must, for sound reasons of public policy, remain confidential.

Breast Screening

Mr. Donohoe: To ask the Secretary of State for Scotland what procedures are used by Ayrshire and Arran health board to arrange appointments for women for breast screening; in what circumstances this is done without the patient's prior approval; whether this procedure is adopted by other health boards; and if Ayrshire and Arran health board has assessed the costs to them of arranging appointments where the patient has failed to turn up or cancelled her appointment.

Mr. Allan Stewart: National appointment procedures are followed in each breast screening centre. An initial letter inviting the patient to attend on a specific appointment date is sent to each patient based on a list which has been endorsed by the patients' GPs. Experience has shown that if they are offered a firm date, some 80 per cent. of women invited in this way are able to attend without the need for any further letters. The screening centres have assessed the economic implications of call-up and have taken this into account by calling up enough patients to ensure that the maximum numbers are screened after allowing for non-attenders. This still enables all patients to be screened timeously.

Mr. Donohoe: To ask the Secretary of State for Scotland how much the national health service has spent on its breast screening programme in each of the last five years.

Mr. Stewart *[holding answer 14 June 1994]:* Expenditure on the Scottish breast screening programme has been as follows:

£ million

Year	*Revenue*	*Capital*	*Total*
1989-90	1·7	3·0	4·7
1990-91	2·8	0·7	3·5
1991-92	3·4	—	3·4
1992-93	3·5	—	3·5
1993-94	3·7	0·2	3·9

Health Service Waiting Lists

Mr. Blunkett: To ask the Secretary of State for Scotland how many people not on waiting lists for treatment were waiting to see a specialist in the national health service at the end of March.

Mr. Stewart *[holding answer 15 June 1994]:* Information on waiting times to first out-patient appointment is set out in the NHS "Patient Treatment and Waiting Time Bulletin". Copies of the bulletin, which is published quarterly, have been placed in the Library of the House.

Crosshouse Hospital

Mr. Donohoe: To ask the Secretary of State for Scotland what steps his Department will be taking to seek further compensation for design faults at Crosshouse hospital from the architects Boissevain and Osmond.

Mr. Stewart *[holding answer 14 June 1994]:* None. In December 1989, Ayrshire and Arran health board accepted an offer of payment from Boissevain and Osmond of £470,000, together with the abandonment of the architect's claim for outstanding professional fees. I am satisfied that this represented a reasonable and acceptable conclusion to the dispute.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make a statement on the contacts between his Department, the North Ayrshire and Arran NHS trust and Ayrshire and Arran health board concerning the further repair of Crosshouse hospital.

Mr. Stewart *[holding answer 14 June 1994]:* The management executive of the national health service in Scotland maintains regular contact with all health bodies concerning major capital investment proposals.

Mr. Donohoe: To ask the Secretary of State for Scotland when the latest faults in the roof and drainage systems of Crosshouse hospital were identified; and whether these were included in Ayrshire and Arran health board's original damages claim with the architects responsible for the building of the hospital.

Mr. Stewart *[holding answer 14 June 1994]:* Faults in the roof and drainage systems of Crosshouse hospital have been evident since the hospital opened in 1982 and were included in Ayrshire and Arran health board's damages claim against the architects responsible.

HOME DEPARTMENT

May Report

Mr. Mullin: To ask the Secretary of State for the Home Department if he will make it his policy that Sir John May's report will be published before the summer recess.

Mr. Maclean: The final report of Sir John May's inquiry will be published as soon as practicable.

Criminal Injuries Compensation

Ms Primarolo: To ask the Secretary of State for the Home Department what was the total amount given by the Criminal Injuries Compensation Board in each of the last five years; how many people were compensated in each of the last five years; how many were compensated for loss of earnings; and if he will break down these figures by category of occupation.

Mr. Maclean: Information about the total amount paid and the numbers of people compensated each year are given in the board's annual reports, copies of which are held in the Library of the House. The board does not collate centrally information about the numbers of people compensated for loss of earnings or categories of occupation. The available information is summarised as follows:

Year	*Compensation Paid £ million*	*Number of Awards Made*
1989-90	72·7	27,926
1990-91	109·3	35,190
1991-92	143·7	39,249
1992-93	152·2	36,638
[1]1993-94	165·7	40,635

[1] The figures for 1993-94 are provisional, and subject to audit.

West Midlands Probation Committee

Mr. Hawksley: To ask the Secretary of State for the Home Department what costs his Department incurred in defeating the High Court action by the West Midlands probation committee.

Mr. Maclean: I will write to my hon. Friend when the costs have been settled.

Young Offenders

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of 16-year-old *(a)* men and *(b)* women being held in prison establishments in England and Wales on 10 June.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Tom Cox, dated 16 June 1994:

The Home Secretary has asked me to reply to your recent Question asking what was the number of sixteen year old *(a)* men and *(b)* women being held in prison establishments in England and Wales on 10 June.

The latest available provisional information is for 30 April 1994. On that date there were 386 sixteen year olds (377 males and 9 females) held in Prison Service establishments in England and Wales.

Life Sentences

Mr. Cox: To ask the Secretary of State for the Home Department what percentage of the prison population in England and Wales is serving a life sentence.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Tom Cox, dated 16 June 1994:

The Home Secretary has asked me to reply to your recent Question asking what percentage of the prison population in England and Wales is serving a life sentence.

The latest available information is for 31 March 1994. On that date life sentence prisoners accounted for 8·8 per cent. of the sentenced prison population in Prison Service establishments in England and Wales.

London Church of Christ

Dr. Lynne Jones: To ask the Secretary of State for the Home Department what is his policy toward the London Church of Christ.

Mr. Peter Lloyd: Our policy towards new religious movements, including the London Church of Christ, is that such groups must be allowed to practise freely so long as their actions remain lawful. We do not believe that legislation should be introduced to restrict the establishment or operation of cults or new religious movements. The existing criminal law is sufficient to regulate the behaviour of individuals who may infringe the rights of others.

Crown Prosecution Service

Mr. Blair: To ask the Secretary of State for the Home Department when the Home Office research into the reasons for the termination of cases by the Crown Prosecution Service was completed; and what were its findings.

Mr. Maclean: A report on the Home Office study of termination of cases by the Crown Prosecution Service is nearing completion, and will be published later in the year. An article summarising key findings of the study was published by the Home Office research and statistics department in research bulletin No. 32. A copy of the bulletin is available from the House Library.

Domestic Burglaries, London

Mr. John Marshall: To ask the Secretary of State for the Home Department what is the latest trend in domestic burglaries in London.

Mr. Maclean: The information available centrally shows that there were 114,778 offences of burglary in a dwelling recorded in the Metropolitan police district in 1993. This represents a fall of 10 per cent. over the previous 12 months.

Child Crime Victims

Mr. Llwyd: To ask the Secretary of State for the Home Department what is the Government's policy concerning the establishment of a service which would specifically help children who are the victims of crime; and if he will make a statement.

Mr. Maclean: There are no plans to establish a service specifically to help child victims of crime. Government help for all victims of crime is provided principally through the voluntary organisation Victim Support, which helps families when they or their children have been victims of crime. Help for child victims is also available from other sources, such as the National Society for the Prevention of Cruelty to Children and Childline, as well as from statutory agencies.

Immigration

Mr. Dalyell: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 May, *Official Report*, column *253*, when the hon. Member for Linlithgow may expect to receive the letter on the case of Mrs. Carole Raja.

Mr. Charles Wardle: I wrote to the hon. Member on 14 June.

Sentencing

Ms Ruddock: To ask the Secretary of State for the Home Department (1) what percentage of *(a)* male juveniles and *(b)* female juveniles convicted of an indictable offence received a custodial sentence in 1993-94;

(2) what percentage of *(a)* men and *(b)* women convicted of an indictable offence received a custodial sentence in 1993-94.

Mr. Maclean: Information for 1993 will not be available until the autumn.

Information for 1992 on persons sentenced to immediate custody by age and gender is published in table 7.15 of the Command Paper "Criminal Statistics England and Wales 1992", a copy of which is in the Library.

Prisoners (Mental Health)

Ms Ruddock: To ask the Secretary of State for the Home Department how many prisoners in England and Wales were made subject to hospital orders under sections 37 and 41 of the Mental Health Act 1983; and how many were transferred to hospital under section 47 of the Mental Health Act 1983 in the year 1993-94.

Mr. Maclean *[holding answer 26 May 1994]:* Some 156 persons were made subject to hospital orders with restrictions—sections 37 and 41 of the Mental Health Act 1983—in 1992, of whom 51 had previously been transferred from prison to hospital under section 48 of the Mental Health Act 1983. Information for 1993-94 is not yet available.

Information on prisoners transferred to hospital under section 47 of the Mental Health Act 1983 is published annually in the Home Office statistical bulletin "Statistics of Mentally Disordered Offenders England and Wales" of which the latest edition is that for 1992.

Prison Statistics

Ms Ruddock: To ask the Secretary of State for the Home Department what was the number of prisoners per 100,000 population in *(a)* each EC country, *(b)* each other Council of Europe country and *(c)* the United States of America at the latest date for which figures are available.

Mr. Maclean *[holding answer 26 May 1994]:* All the EC countries are covered by the statistics collated by the Council of Europe. The latest available information is given in the table.

An article on "International Comparisons of Prison Populations" by Collier and Tarling—Home Office research bulletin No. 23, pages 48 to 54—showed that the figures for different countries are unlikely to be strictly comparable because the definitions of prisons and prisoners vary from one country to another, reflecting different legal and administrative systems. Examples of differences in the definitions are the inclusion or exclusion in a country's figures of juvenile offenders and mentally disordered offenders. The table is not a reliable indication of punitiveness since it takes no account of the relative levels of crime or of the proportions successfully prosecuted.

Comparisons of prison population per 100,000 of national population by country, 1992

Country	*Number per 100,000 population*
Austria	88
Belgium	71
Bulgaria	102
Cyprus	32
Czech Republic	129
Denmark	66
Finland	65
France	84
Germany[1]	79
Greece	60
Hungary[1]	146
Iceland	39
Ireland, Republic of	62
Italy	80
Luxembourg	92
Netherlands	49
Norway[1]	59
Portugal	93
Slovak Republic	123
Spain	90
Sweden	63
Switzerland	77
England and Wales	91
Scotland	105
Northern Ireland	114
USA	547

[1] For these countries 1992 data was unavailable, published 1991 data has been used instead.

Written Answers to Questions

Friday 17 June 1994

EMPLOYMENT

Civil Servants

Mr. Byers: To ask the Secretary of State for Employment how many civil servants taking early retirement or redundancy went into employment with a training and enterprise council since the abolition of the councils.

Miss Widdecombe: None. Training and enterprise councils have not been abolished.

LORD CHANCELLOR'S DEPARTMENT

Divorce

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate has been made of the cost of the provision of divorce information as set out in the Green Paper entitled, "Mediation and the Ground for Divorce."

Mr. John M. Taylor: No decisions have been made about the proposals in the Government's consultation paper. When reponses to that paper have been fully considered, the Lord Chancellor will decide how best to proceed and relevant cost estimates will be prepared.

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department with whom he has had consultations over the provision of divorce information as set out in the Green Paper, "Mediation and the Ground for Divorce."

Mr. John M. Taylor: Approximately 700 responses to the consultation paper have been received. Many of those responses referred to the provision of divorce information.

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what training he intends to provide for those who will be responsible for the provision of divorce information and mediation under the proposals contained in the Green Paper, "Mediation and the Ground for Divorce."

Mr. John M. Taylor: No decisions have been made about the proposals in the consultation paper. It is therefore too early to decide what training might be required.

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the cost of training mediators, pursuant to the proposals contained in the Green Paper, "Mediation and the Ground for Divorce."

Mr. John M. Taylor: Depending upon the decisions which are made about the proposals in the consultation paper, an assessment would be made of the cost of any additional training of mediators.

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions his Department has had with the Treasury about the cost of the provision of divorce information as set out in the Government's Green paper, "Mediation and the Ground for Divorce."

Mr. John M. Taylor: Discussions between the Lord Chancellor's Department and the Treasury take place in the usual way. No final conclusions have been reached.

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department if it is his policy that there should be a phased take-on of work for the mediation service, pursuant to the proposals contained in the Green Paper, "Mediation and the Ground for Divorce."

Mr. John M. Taylor: No decisions have been made about the proposals in the consultation paper. It is therefore too early to decide how they might be implemented.

Legal Aid

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department for how many solicitors' offices pre-contract audit for legal aid franchise has been completed; and how many of these solicitors' offices had passed their pre-contract audit, as of 13 May.

Mr. John M. Taylor: By 13 May, 312 pre-contract audits had been carried out. Of the 111 which have been determined, 99 had passed their pre-contract audit.

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many solicitors had submitted and not withdrawn applications for legal aid franchises in each of the legal aid areas as of 13 May.

Mr. John M. Taylor: As of 13 May, 1,426 solicitors' offices had submitted and not withdrawn applications for legal aid franchises. The breakdown is as follows:

	Number
London	164
Brighton	105
Reading	182
Bristol	163
Cardiff	62
Birmingham	82
Manchester	96
Newcastle	57
Leeds	100
Nottingham	111
Cambridge	153
Chester	72
Liverpool	79

TRANSPORT

M25

Mr. Wilshire: To ask the Secretary of State for Transport how many representations he has received from the Spelthorne constituency for and against the finalised proposals for M25 link roads.

Mr. Key: This question relates to operational matters of the Highways Agency. I have asked the chief executive, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. David Wilshire, dated 16 June 1994:

The Minister for Roads and Traffic, Mr. Robert Key, has asked me to write to you in reply to your recent Parliamentary Question about the number of representations received from the Spelthorne constituency for and against the M25 link road proposals.

Draft highway Orders for the provision of link roads between junctions 12 and 15 of the M25 were published on 7 April this year. The objection period ends on 15 July. By 7 June, 43 letters of objection and one letter of support from addresses within the Spelthorne constituency had been recorded.

M40

Mr. Lidington: To ask the Secretary of State for Transport (1) what is his latest estimate for daily traffic flows on the M40 between *(a)* junctions 5 and 6 and *(b)* junction 6 (Lewknor) and Postcombe;

(2) how many residential properties lie within 100 m, 200 m and 300 m of the M40 between junctions 5 and 6;

(3) what is his Department's estimate of the cost of resurfacing the M40 between junction 6 (Lewknor), and Postcombe with porous asphalt;

(4) how many residential properties lie within 100 m, 200 m and 300 m of the M40 between Lewknor, junction 6 and Postcombe;

(5) what is his Department's estimate of the noise reduction which will be achieved for local residents of resurfacing the M40 between *(a)* junctions 5 and 6 with hot-rolled asphalt and *(b)* junction 6 (Lewknor) and Postcombe with porous asphalt;

(6) what is his Department's estimate of the cost of resurfacing the M40 between junctions 5 and 6 with *(a)* hot-rolled asphalt and *(b)* porous asphalt.

Mr. Key: These questions relate to operational matters of the Highway Agency. I have asked the chief executive, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. David Lidington, dated 16 June 1994:

The Minister for Roads and Traffic, Mr. Robert Key, has asked me to write to you in reply to your recent six Parliamentary Questions about the forthcoming resurfacing of the M40 between Junction 5 (Stokenchurch) and Adwell near Postcombe.

It might be helpful if I were first to fill in some of the background. The obligations placed on the Department of Transport to deal with noise intrusion relate only to where the Department acts in the manner of a developer in providing a new road or in substantially altering an existing one. It follows that the Agency can only undertake maintenance of existing roads for genuine maintenance reasons and, trials apart, then only in the most cost-effective manner. As porous asphalt (PA) is known to be more costly to construct and maintain, normally its use can only be justified at present for new construction works where these higher costs can be offset by savings in the costs of noise mitigation measures which would be otherwise incurred. There are, of course, no similar offsetting saings to be had in the case of maintenance works.

PA is relatively new material which needs to be tested before more wide scale use. The 4½ mile section of the M40 which is now to be re-surfaced was built in the early 1970s and has a jointed concrete carriageway. As we have no experience of overlaying PA on roads constructed in this way, we are taking the opportunity presented by the maintenance to carry out a trial over the 2 mile stretch between Junction 6 and Adwell. This length is quite adequate for trial purposes. The trial is not, therefore, specifically aimed at noise reduction but it is designed to get some of the technical information you seek and more. Interim results are unlikely to be available for at least 18 months. The answers which I give below to your questions should, therefore, be taken as very provisional.

Tenders for the maintenance contract are still being evaluated. Early indications are that the additional *construction* costs of resurfacing with PA the length between Junction 6 (Lewknor) and Adwell (near Postcombe) will be in the order of £800,000. Using the tenders for that length as the measure, the additional construction costs of using PA on the length between Junctions 5 and 6 would be in the order of £1M. I cannot yet quantify additional maintenance costs.

The Agency has had no reason to undertake accurate assessments of the number of properties close to the M40 in these areas. However, a count made from available plans suggests the numbers may be as follows:

	Number of Properties		
Location	*100m*	*200m*	*300m*
Junctions 5—6	30	51	68
Junction 6—Adwell	2	14	56

In 1993 the average traffic flow between Junctions 6 and 7 was 71,200 vehicles per day. There is not a traffic counter between Junctions 5 and 6, but flows there are likely to be broadly similar to the adjoining stretch of motorway.

As the maintenance work is not aimed at noise reduction, we have not carried out any assessment of existing noise levels over the Junctions 5 to 6 length and have not estimated the reductions which might result from the re-surfacing of that length in hot rolled asphalt (HRA). It is likely, however, that the perceived noise levels will be less given the elimination of joints in the present surface.

'Before and after' measurements of noise will be taken at selected sites to quantify the noise reducing properties of PA on the Junction 6 (Lewknor) to Adwell length. The results will not be available for some time. No estimates have been made.

Road Signs

Mrs. Helen Jackson: To ask the Secretary of State for Transport when his Department intends to change the signs on major roads to include metric distances.

Mr. Key: We would consider such a change only if we were satisfied that the benefits would justify the substantial costs involved.

Road and Rail Investment

Ms Walley: To ask the Secretary of State for Transport what progress has been made towards instituting a common appraisal method for road and rail investment.

Mr. Key: The Department employs a wide range of appraisal procedures which reflect the many considerations that need to be taken into account, such as the importance of benefits to the wider community and the structure of management incentives. But the methods are applied in a way designed to ensure there is no bias in favour of any one mode.

In urban areas the Department is developing the "package approach" to local transport funding. Under this approach the same multi-criteria framework is to be used by local authorities and the Department to assess the merits of all local transport investment proposals.

Small Bus Permits

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the organisations eligible to apply for small bus permits.

Mr. Key: An application for a small bus permit may be made by any body concerned with education, religion, recreation or social welfare or other activities of benefit to the community, provided that the use of a vehicle under a permit meets the requirements of section 19 of the Transport Act 1985. The Secretary of State has designated certain bodies to grant permits to themselves or their local organisations and these are listed in SI 1987 No. 1229—the section 19 Minibus (Designated Bodies) Order 1987—and the amendment to that order, SI 1990 No. 1708.

Mrs. Dunwoody: To ask the Secretary of State for Transport how many small bus permits were issued in each of the last five years.

Mr. Key: The number of small bus permits issued in each of the last five years is given in the table:

Year	*Number of permits*
1989	4,800
1990	6,230
1991	7,275
1992	5,780
1993	4,775

Cycling Policy

Mr. Butler: To ask the Secretary of State for Transport if he will make a statement on cycling policy during National Bike Week.

Mr. Key: I have today released a new statement of our cycling policy which has been developed in consultation with other Government Departments. In it the Government recognise the need for us as a nation to take full account of the benefits which cycling offers.

A change of perceptions is needed. More local authorities should consider cycling from the outset in planning and traffic management. Secure cycle parking should be more widely available near offices, shopping centres and public transport stations. Employers should make available cycle parking, and changing and showering facilities. Cycling should be more widely seen as a sensible means of transport, offering a realistic alternative to the car for local journeys.

We intend to work with other organisations to create the conditions in which more people will choose to cycle.

Copies of the statement have been placed in the Library, and are being sent to all local authorities.

TRADE AND INDUSTRY

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the President of the Board of Trade what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Mr. Eggar: If members of the public are found to be blocking emergency exits or their activities restrict access to departmental buildings, the security guards ask them to move. If any problems arise the police are called. My Department does not keep a separate record of incidents relating to beggars or people sleeping rough.

United Kingdom Energy Authority

Mrs. Lait: To ask the President of the Board of Trade what is the value of the United Kingdom Atomic Energy Authority's nuclear decommissioning liabilities.

Mr. Eggar: When the UKAEA last estimated its decommissioning liabilities in 1990 the estimate was of the order of £3 billion to £4 billion, undiscounted, including liabilities for fuels and wastes. This estimate was based largely on preliminary technical assessments. The estimate has now been updated by a much more detailed and systematic review which started several years ago and which has looked individually at each of the UKAEA's many facilities.

The UKAEA's new central estimate of the cost of decommissioning facilities on its own sites is £6 billion. It also has estimated liabilities of £2 billion for fuels and wastes, and for decommissioning and waste management on BNFL sites—therefore, a total liability of £8 billion. These estimates are undiscounted, in 1993-94 prices. Discounted at 2 per cent. for comparison with figures published by other nuclear businesses, the total estimated cost is £5 billion.

The increase reflects the more systematic review, together with the inclusion in the new estimate of the costs of infrastructure, of care and maintenance where final decommissioning is deferred, and of programme management and supporting research.

Most of the expenditure will not arise until well into the future, with final decommissioning of some facilities taking place in the middle of next century or even later. Because of the unique nature of many of the UKAEA's individual facilities, the cost estimate remains subject to considerable uncertainty. The UKAEA believes that around its total central estimate of £8 billion, the total cost could lie in the range £6 billion to £12 billion.

Coal Industry

Mr. Tipping: To ask the President of the Board of Trade which companies have been disallowed from bidding for British Coal; and if he will make a statement.

Mr. Eggar: The identify of those parties which have, or have not, pre-qualified for the sales process of British Coal Corporation is commercially confidential. A statement will not be made.

NATIONAL HERITAGE

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the Secretary of State for National Heritage what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Mr. Sproat: My Department has not issued any instructions to its security staff for dealing with those sleeping rough in doorways or beggars. Security guards are instructed to keep all exits clear in case of fire. The Department has not experienced any problems with rough sleepers or beggars.

ENVIRONMENT

Residential Homes (Heating)

Ms Ruddock: To ask the Secretary of state for the Environment what minimum standards for heating residential accommodation are issued which must be adhered to by local authorities, housing associations and private developers.

Mr. Baldry: When new residential accommodation is constructed in England and Wales, local authorities, housing associations and private developers are required to comply with the building regulations. The regulations contain no specific minimum standards for heating, but part L of those regulations sets requirements for the conservation of fuel and power which include provisions for insulation of the building elements and adequate heating controls. The Government are proposing to lay before Parliament shortly revised regulations which strengthen the requirements of part L.

Safeway Superstore, Hailsham

Mr. Simon Hughes: To ask the Secretary of State for the Environment when he expects to announce the result of the public inquiry into the application by Safeway to build an edge-of-town superstore in Hailsham, Sussex.

Mr. Baldry: It is hoped to issue the decision shortly.

Environment Council

Sir Kenneth Carlisle: To ask the Secretary of State for the Environment if he will make a statement on the outcome of the Environment Council on 8 and 9 June.

Mr. Gummer: I represented the United Kingdom at the Environment Council held in Luxembourg on 8 and 9 June. The Council reached a common position on the draft directive on the landfill of waste by a majority vote with Belgium and France voting against. The agreed text is considerably more flexible than the original Commission proposal and is in line with the United Kingdom's position on subsidiarity. It would allow us to continue to operate our waste disposal sites where we mix domestic waste with other wastes, as long as we maintain stringent controls and monitoring.

The Council discussed climate change issues, including the Commission's proposed carbon/energy tax. The Council agreed to renew the mandate of the working group established at the last Environment Council and requested the group to report to the next ECOFIN and Environment Councils. Council conclusions were also agreed on the Commission White Paper on "Growth, Competitiveness and Employment", focusing on the environmental aspects of trans-European networks and an approach to sustainable economic development which respected environmental needs. The Council had a wide-ranging discussion on points arising from the May session of the United Nations Commission for Sustainable Development and considered various ways to enhance its next session.

A common position was agreed unanimously on the proposed regulation on substances that deplete the ozone layer, based on the text which had been agreed politically last December. The Council also agreed the arrangements for the signature by the Community of the sulphur dioxide protocol. The Council noted progress on the proposed directive on integrated pollution control. My proposal for a Council statement condemning the illegal trade in tiger and rhinoceros products was agreed unanimously.

AGRICULTURE, FISHERIES AND FOOD

Arable Area Aid Scheme

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what representations she has received on discrepancy of treatment of English and Welsh farmers under the arable area aid scheme; and if she will make a statement.

Mr. Jack: Since the beginning of the year my right hon. Friend has received 12 representations on Welsh regionalisation arrangements from Members of the House and from farming organisations. These have suggested that area payments to Welsh arable farmers should be at the same level as those to English farmers. Arable area payments are based on historic average cereal yields, as required by EC legislation, and these are lower in Wales than in England.

Phosphates

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what is the Government's policy on the planned restrictions on naturally occurring phosphates in wholemeal flour and milk products contained in the proposed EC directive on food additives.

Mr. Soames: The Government share industry's concerns that the current text of the proposed directive on food additives other than colours and sweeteners does not take proper account of the fact that phosphates occur naturally in many foods, including flour and milk. We have therefore been pressing for an amendment to the text. The EC Council of Ministers and the European Commission have agreed to find a solution to this problem before the directive is implemented.

Milk Marketing

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what discussions she has had with the Dairy Trade Federation on the timetable for the implementation of the new milk marketing scheme; and if she will make a statement.

Mr. Jack: The Dairy Trade Federation raised the issue of the timing of the end of the milk marketing scheme when my right hon. Friend the Minister met them on 23 May.

My right hon. Friend has announced her and the Secretary of State for Wales's decision to approve the milk marketing board's reorganisation scheme with modifications. Under the approved scheme vesting day will be 1 November 1994.

Less-favoured Areas

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what proportion of the agricultural land area *(a)* inside and *(b)* outside the less-favoured areas in England is rented.

Mrs. Gillian Shephard: I regret that the information is not available.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what the average age of farmers is in *(a)* the English less-favoured areas and *(b)* the equivalent of the less-favoured areas in each EC member state.

Mrs. Gillian Shephard: The farm structure survey contains information on the age of the holder of the farm by age band. The table provides estimates of the average age of holder based on analysis of this age band data for farms which are classified as being wholly or mainly in the less favoured areas.

Estimated average age of holder of farms wholly or mainly in the less-favoured areas in 1987[1]

Member state	*Estimated average age of holder*
Belgium	50
Germany	48
Greece	56
Spain	56
France	52
Ireland	54
Italy	56
Luxembourg	51
Portugal	57
United Kingdom (1990)	53
England (1990)	52

[1] The holder of the farm is the person legally or economically responsible for the holding.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the ratio of tenant farmers to owner-occupier farmers *(a)* inside and *(b)* outside the English less-favoured areas.

Mrs. Gillian Shephard: The table shows the proportion of holdings in England which are wholly owner occupied, rented or are partly owner and partly rented for those holdings which are wholly or mainly in the less favoured area or wholly or mainly outside the LFA.

Proportion of holdings in England by type of tenure

	Wholly owner occupied Percentage	*Wholly rented Percentage*	*Part owned and part rented Percentage*
Holdings wholly or mainly in the LFA	60·3	18·1	21·6
Holdings wholly or mainly outside the LFA	63·7	15·6	20·7

Overseas Exhibitions

Mr. Nigel Evans: To ask the Minister of Agriculture, Fisheries and Food how many visits to overseas exhibitions have been undertaken by Ministers in her Department so far this year.

Mrs. Gillian Shephard: MAFF Ministers have this year undertaken visits to the ISM sweets and biscuits fair in Cologne; the Salon International de l'Agriculture in Paris; and the Agro-Expo exhibition in Beijing.

FOREIGN AND COMMONWEALTH AFFAIRS

Iran

Mr. Corbett: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he plans to have, and when, with his partners in the European Union and the United Nations on steps to combat Iranian terrorism.

Mr. Douglas Hogg: I have nothing to add to the answer I gave to the hon. Member for Nottingham, South (Mr. Simpson) on 24 May, column *112*.

Identity Badges

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will arrange for all British and locally employed staff at British posts overseas who come into contact with the public to wear identity badges.

Mr. Goodlad: With effect from 1 January 1993, British posts overseas were instructed to ensure that, unless there are local security considerations—for example, for entry clearance officers—all staff who come into contact with the public identify themselves.

Mrs. Noor Johan

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision is to be taken on the application made to the United Kingdom post in Islamabad by Mrs. Noor Jahan, DOB: 1966; Ref: C1573 and her children to enter the United Kingdom; and if he will make a statement.

Mr. Lennox-Boyd: In the absence of any information in London about applications from Mrs. Noor Jahan and her children, I have asked the entry clearance officer at the high commission in Islamabad to let me have a report. I shall arrange for the hon. Member to receive a substantive reply from the migration and visa correspondence unit of the Foreign and Commonwealth Office as soon as possible.

Giles Chichester and Michael Rogers

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the status and function of *(a)* Mr. Giles Chichester and *(b)* Mr. Michael Rogers in July 1993; what was the purpose of their visit by the United Kingdom mission in Geneva in July 1993; which officials they met; how many pages of cables, facsimile messages or reports he received from the United Kingdom mission in Geneva in relation to the visit; and if he will place those documents in the Library.

Mr. Douglas Hogg: My Department has no record of a visit by either man to the United Kingdom's mission in Geneva in July 1993 or at any other time.

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs which missions, other than those of the United Kingdom, were visited in Geneva in July 1993 by Mr. Giles Chichester; what was the purpose of the visits; and if he will make a statement.

Mr. Douglas Hogg: My Department has no record of a visit by a Mr. Giles Chichester to any mission in Geneva, including the United Kingdom's, in July 1993 or at any other time.

Uganda

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received from Uganda about the present circumstances of Richard Mukasa, recently in Campsfield house, Kidlington.

Mr. Charles Wardle: I have been asked to reply.

We have no information about Mr. Mukasa's circumstances.

NORTHERN IRELAND

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the Secretary of State for Northern Ireland what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Sir John Wheeler: Responsibility for the security of the building occupied by the Northern Ireland Office in London lies with the major occupier, the Foreign and Commonwealth Office.

Dentistry

Mr. McCartney: To ask the Secretary of State for Northern Ireland what plans he has for a review of orthodontic services in Northern Ireland.

Mr. Ancram: There are no plans, at present, to undertake a specific review of orthodontic services. The Department of Health and Social Services has however recently commissioned an oral health review group to carry out an analysis of oral health in Northern Ireland, and to make recommendations for improvement. These recommendations will take account of orthodontic needs.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many clients were registered in Northern Ireland with general dental practitioners in each year since 1983.

Mr. Ancram: The registration of patients with general dental practitioners was introduced in October 1990. The registration details from October 1990 onwards are set out in the table.

Year	*Number of patients registered*
1990	198,585
1991	788,496
1992	976,312
1993	1,010,180

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many patients are waiting for orthodontic treatment in Northern Ireland.

Mr. Ancram: Information on the total number of people waiting for orthodontic treatment in Northern Ireland is not held centrally.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many general dental practitioners in Northern Ireland received remuneration for NHS treatments in each year since 1983.

Mr. Ancram: The information requested is set out as follows:

Year	*Number of dentists*
1983	377
1984	393
1985	421
1986	428
1987	438
1988	461
1989	483
1990	519
1991	517
1992	525
1993	551

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many general dental practitioners in Northern Ireland were registered with the Dental Practice Board in each year since 1983.

Mr. Ancram: The equivalent body in Northern Ireland is the Northern Ireland Central Services Agency. The information requested is set out in the table:

Number of dentists on dental list at 1 July

Year	*Number*
1983	360
1984	379
1985	397
1986	414
1987	424
1988	447
1989	467
1990	491
1991	517
1992	525
1993	541

Mr. McCartney: To ask the Secretary of State for Northern Ireland what is his estimate of the number of individuals who received private orthodontic treatments in Northern Ireland during the period from 1983 to 1993.

Mr. Ancram: Information on private treatment is not held centrally and it is impossible to give a realistic estimate.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many general dental practitioners qualified and took up national health service practice in Northern Ireland in each year since 1983.

Mr. Ancram: The information is not available in the form requested. However, the number of dentists joining the dental list in Northern Ireland in each year since 1983 is set out in the table:

Year	*Number of dentists joining dental list*
1983	32
1984	33
1985	44

Year	Number of dentists joining dental list
1986	30
1987	36
1988	46
1989	46
1990	77
1991	37
1992	51
1993	58

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many dental de-registrations there were in Northern Ireland in the period 1985 to 1993.

Mr. Ancram: The registration of patients with general dental practitioners was introduced in October 1990. Since then a total of 2,340 patients have been de-registered.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many NHS episodes of orthodontic treatment there were for Northern Ireland for the period 1983 to 1993; and what was the cost of NHS orthodontic treatment for Northern Ireland for the same period.

Mr. Ancram: The number of courses of orthodontic treatment in Northern Ireland from 1983 to 1993 is set out in the table. Information is not available for 1991 and 1992. Information on the cost of orthodontic treatment is not available prior to 1993. For 1993, the cost was £1,686,393.

Number of courses of orthodontic treatment

Year	Number
1983	13,380
1984	10,562
1985	9,671
1986	11,667
1987	5,842
1988	19,391
1989	22,692
1990	25,365
1991[1]	n/a
1992[1]	n/a
1993	17,464

[1] Due to technical difficulties in dental information system, figures are not available for these years.

Childhood and Adolescent Psychiatry

Mr. McCartney: To ask the Secretary of State for Northern Ireland what capital charges were levied on each regional adolescent psychiatric unit in the latest year for which figures are available.

Mr. Ancram: There are no regional adolescent psychiatric units within Northern Ireland.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many beds designated specifically for adolescent psychiatry there were in Northern Ireland in each year since 1979 and at the latest available date.

Mr. Ancram: In Northern Ireland in each year since 1981 to December 1993 the average number of available beds in the child and adolescent psychiatry speciality has been 20. Information on the child and adolescent psychiatry speciality was not collected separately prior to 1981.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many children and teenagers suffering from serious mental illnesses were admitted to psychiatric hospitals in Northern Ireland in the period 1979 to 1993.

Mr. Ancram: The information is not available in the form requested. The table provides information on the total number of children and teenagers with one or more admissions to mental illness hospitals/psychiatric units in Northern Ireland between 1989[1] and 1993.

Admissions of Children/Teenagers to Mental Illness Hospitals/ Psychiatric Units in Northern Ireland

Year	Number
[1]1989-90	144
1990-91	128
1991-92	143
1992-93	177

[1] Data prior to 1989-90 is unavailable.

Mr. McCartney: To ask the Secretary of State for Northern Ireland what is the referral pattern for adolescent psychiatric services for Northern Ireland; and what was the regional breakdown of contractual referral for each health board for the period 1979 to 1993.

Mr. Ancram: The table shows the pattern of out-patient referral attendances in the child and adolescent psychiatric specialty in Northern Ireland since 1981.

Hospitals located within health and social services boards

Year	Eastern	Northern	Southern	Western	Northern Ireland
1981[1]	778	8	32	12	830
1982	937	6	35	2	980
1983	1,102	12	44	8	1,166
1984	1,024	11	37	2	1,074
1985	1,129	5	42	10	1,186
1986	1,059	8	22	4	1,093
1987	1,138	4	22	4	1,168
1988-89[2]	498	—	32	—	530
1989-90[2]	1,332	—	768	—	2,100
1990-91	886	147	469	—	1,502
1991-92	897	112	280	—	1,289
1992-93	999	138	302	—	1,439

[1] Information on the child and adolescent psychiatric speciality was not collected separately prior to 1981.

[2] The data quality is not reliable for these years.

Mr. McCartney: To ask the Secretary of State for Northern Ireland what are the most common forms of mental illness for children and teenagers; and what was their incidence in Northern Ireland in the period 1979 to 1993.

Mr. Ancram: The table shows the six most common diagnoses for children and teenagers and the numbers discharged from mental illness hospitals/psychiatric units with these diagnoses during the period 1989 to 1993[1]. Information on the incidence of these conditions is not available.

Diagnosis	[1]*1989-90*	*1990-91*	*1991-92*	*1992-93*
Neurotic Psychosis (eg phobias)	88	85	85	105
Other Symptoms and Syndromes (eg anorexia, bedwetting, tics)	54	49	46	46
Adjustment Reaction (eg stress related depression)	26	41	41	46
Personality Disorders	38	46	26	34
Acute Stress Reaction	34	42	39	34
Schizophrenic Psychoses	43	34	35	26

[1] 1989-90 is the earliest date from which the information is available.

Forensic Psychiatry

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many nursing and para-medical staff in Northern Ireland are qualified in forensic psychiatry and working in *(a)* high security units and *(b)* admission wards in psychiatric hospitals mental health trusts.

Mr. Ancram: There are no high security units or mental health trusts in Northern Ireland.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many forensic psychiatric patients have been treated in Northern Ireland in each year since 1985.

Mr. Ancram: This information is not available.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many doctors are trained each year in forensic psychiatry; and how many qualified in forensic psychiatry are practising in the NHS in Northern Ireland.

Mr. Ancram: During the period of higher specialist training, every junior doctor in psychiatry gets some training in forensic psychiatry and most undertake a six month period of training specifically in the sub-speciality. This enables all consultants to deal with routine forensic psychiatric cases which they may encounter in their day-to-day practice.

There is one consultant forensic psychiatrist currently working 70 per cent. of his time in the Prison Service and 30 per cent. in one of the health and social services boards. A second consultant forensic psychiatrist will be working 50 per cent. in the Prison Service and 50 per cent. in another health and social services board.

The intention is that each board will have a pool of knowledge so that all psychiatric patients who come before the courts will have access to forensic psychiatry.

Deaf People

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many extra-contractual referrals for individuals requiring specialist psychiatric services for deaf people were made in Northern Ireland in 1993-94.

Mr. Ancram: None. Until April 1994 such services were designated as supra-regional and no charge was made.

Mr. McCartney: To ask the Secretary of State for Northern Ireland what were the national referral patterns and regional referral patterns for all units providing psychiatric services for deaf people in Northern Ireland in each year since 1987.

Mr. Ancram: Separate statistics to show the numbers of people referred for psychiatric services in Northern Ireland who are deaf are not routinely collected. Referral patterns cannot therefore be established.

Ambulance Services

Mr. McCartney: To ask the Secretary of State for Northern Ireland if he will list the NHS ambulance services in Northern Ireland which have contracts with private sector health care providers.

Mr. Ancram: The Eastern ambulance service HSS trust has just agreed a contract with a private clinic. The other three ambulance services in Northern Ireland have no contracts with the private health care sector.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many private patient journeys were undertaken by NHS patients in Northern Ireland for journeys to and from *(a)* nursing homes and *(b)* private hospitals in the period from 1985 to 1993; what ambulance charges were levied on these NHS patients and what was the total money earned from these charges for the same period.

Mr. Ancram: Whilst this information is not available in the format requested over the period 1987-88 to 1993-94 a total of 148 patient journeys were charged for. It is not possible to identify the numbers of private patient journeys undertaken to and from nursing homes and private hospitals. Consequently the charges levied and the total money earned is not available.

Information was not collected prior to 1987-88.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many private ambulance contracts there were for Northern Ireland in the period 1985 to 1993.

Mr. Ancram: Over the period 1985 to 1993 no private ambulance contracts were in place in Northern Ireland.

Psychiatric Patients

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many psychiatric patients have been contracted out for treatment to the private sector in Northern Ireland in each year since 1979.

Mr. Ancram: None.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many high security psychiatric patients were admitted to psychiatric wards in non high secure units in Northern Ireland for the period from 1985 to 1993.

Mr. Ancram: None. Psychiatric patients who require treatment in high security hospitals are transferred to special hospitals in Scotland and England. Sixteen patients from Northern Ireland were admitted to special hospitals in Scotland and England in the period 1985 to 1993.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many nursing and para-medical staff working in psychiatric wards in mental health trust hospitals in Northern Ireland have sustained non-accidental injuries from patients in each year since 1985.

Mr. Ancram: This information is not collected centrally.

SOCIAL SECURITY

Independent Living Fund

Mr. Bradley: To ask the Secretary of State for Social Security how many applications to the Independent Living (1993) Fund have been accepted.

Mr. Scott: I am informed by the Director of the Independent Living (1993) Fund that, as at 14 June, 585 applications to the fund have been accepted.

Child Support Agency

Mr. McMaster: To ask the Secretary of State for Social Security what is his Department's policy for dealing with correspondence from right hon. and hon. Members regarding the Child Support Agency; what percentage of letters from right hon. and hon. Members he transferred for reply to the chief executive and other officials of the agency; what criteria he applies when deciding which letters are transferred and which warrant a ministerial reply; and if he will make a statement.

Mr. Burt: In the nine months from September 1993 to May 1994, of a total of 6,894 letters from right hon. and hon. Members on child support matters, 24 per cent. were referred for reply to the chief executive of the Child Support Agency. The criteria for selection of such letters has not changed since the reply I gave to the hon. Member on 9 February at column *365*.

Mr. McMaster: To ask the Secretary of State for Social Security how many letters he receives on average each month from right hon. and hon. Members relating to the operation of the Child Support Agency.

Mr. Burt: The number of letters received each month since September 1993 is in the table. The numbers have varied considerably from month to month.

	Number
September 1993	179
October 1993	534
November 1993	1,173
December 1993	846
January 1994	972
February 1994	1,072
March 1994	899
April 1994	692
May 1994	706
Total	6,894

Social Fund

Mr. Tipping: To ask the Secretary of State for Social Security how many claims were made for assistance from the social fund in the last year for which figures are available; how many were accepted and how many were refused.

Mr. Scott: Information for 1993-94 is in the table.

	Number
Applications	4,039,357
Awards	2,146,714
Refusals	1,705,834

The number of awards and refusals is less than the number of applications because of applications which were withdrawn by applicants; applications which had not been decided at the time of the count; and applications where the applicant did not subsequently respond.

The figures do not include social fund cold weather payments as these are made automatically to those people who qualify.

Public Expenditure

Ms Harman: To ask the Secretary of State for Social Security, pursuant to his answers of 20 May, *Official Report*, column *582*, if he will publish a table setting out the principal components of *(a)* the £568 million spring supplementary estimate affecting cyclical social security spending, *(b)* the £274 million spring supplementary estimate affecting social security spending falling within the new control total and *(c)* the late-year reapportionment of social security spending from cyclical to new control total components; and if he will make a statement.

Mr. Hague: The principal components of the spring supplementary estimates for class XII, votes 1, 2 and 4 were presented and published on 15 February, reference HC199. This document is available in the Library.

The apportionment of expenditure between cyclical and new control total is statistically determined and develops progressively over the accounting period. Hence the apportionment of the outturn expenditure is not yet finalised. We currently anticipate a switch of around £200 million from cyclical to new control total expenditure.

Housing Benefit

Ms Harman: To ask the Secretary of State for Social Security what assumptions about the real value of housing benefit and eligibility for housing benefit underlie the present public expenditure plans; and what plans he has to amend the assumptions as a result of the public expenditure review conducted within the Department of Social Security.

Mr. Hague: The assumptions which have been used to forecast housing benefit expenditure are set out in paragraphs 70 to 80 of the 1994 Social Security departmental report "The Government's expenditure plans 1994-95 to 1996-97". We have assumed that housing benefit will be uprated in April 1995 by 3·25 per cent. and in April 1996 by 3 per cent. the assumed values of the adjusted version of the retail prices index excluding housing costs; see paragraphs 61 and 74 of the report. The assumptions for real rent increases are given in paragraph 78 of the report—private rents increasing by 6·5 per cent. and local authority rent by 5 per cent., both in real terms. The forecasts have used the current rules for eligibility and include all changes to the eligibility rules announced last year. Future expenditure plans will be examined in the light of any changes arising out of the present review of housing benefit.

HEALTH

HIV/AIDS

Mr. Alfred Morris: To ask the Secretary of State for Health how many people in the United Kingdom have been diagnosed as having AIDS dementia.

Mr. Sackville: Up to the end of March 1994, 410 of a cumulative total of 9,025 AIDS cases reported in the United Kingdom had HIV encephalopathy at the time of their diagnosis. This may not have been the sole AIDS defining illness present at the time the case was reported to the communicable disease surveillance centre. An unknown number of persons diagnosed with AIDS go on to develop HIV encephalopathy at a later stage. The number of such cases would not be known to CDSC since reports give only those AIDS indicator diseases present at the time of the AIDS diagnosis.

Mr. Alfred Morris: To ask the Secretary of State for Health how many bedspaces for people with AIDS there are currently *(a)* in London and *(b)* nationally for (i) respite care, (ii) residential care, (iii) nursing care, (iv) terminal care and (v) AIDS dementia care.

Mr. Sackville: Information is not available centrally.

Details of facilities for people with AIDS are contained in regions' AIDS (Control) Act reports, copies of which are available in the Library.

Additionally, the 1994 directory of hospice and palliative care services, compiled by the hospice information service and published by the Cancer Relief Macmillan Fund, lists all available hospice and palliative care services in the United Kingdom. A number of these facilities now cater for people with AIDS-related illness and some have been established specifically for them. A copy of the directory is available in the Library.

Mr. Alfred Morris: To ask the Secretary of State for Health how many bed spaces for people with AIDS are being developed *(a)* in London and *(b)* nationally for (i) respite care, (ii) residential care, (iii) nursing care, (iv) terminal care and (v) AIDS dementia; and what other services are currently available for people with AIDS dementia.

Mr. Sackville: Information in the form requested is not available centrally.

Regional and district health authorities plan all their services for people with HIV/AIDS in the light of identified need.

The Department is currently funding a research project to identify the extent of need for services for people with AIDS dementia in the Thames area. The research findings are due to be reported early in 1995.

Mr. Alfred Morris: To ask the Secretary of State for Health what training services are being provided for staff working with people with AIDS dementia, and by whom.

Mr. Sackville: The Department makes available topsliced funding for HIV/AIDS prevention—£49·2 million in 1994-95—which includes provision for the training of a wide range of staff in the care of people with HIV disease.

English National Board course 280 includes training for nurses on identification and responses to the psychiatric needs of people with HIV. The Bethlem royal hospital and the Maudsley hospital have developed a national course specifically for nurses working with people with AIDS dementia. The course was developed with Department of Health support and students from throughout the United Kingdom have attended. The educational pack on HIV for doctors, funded by the Department, contains a module on the needs of a person with AIDS-related psychiatric conditions.

Health Authority Expenditure

Ms Primarolo: To ask the Secretary of State for Health what the per capita spending figures are for each regional health authority, district health authority and family health services authority for 1993-94 and 1994-95.

Mr. Sackville: Information is not yet available.

Morning-after Pill

Mrs. Ann Winterton: To ask the Secretary of State for Health what information she has about the likely incidence of complications and death arising from the use of the morning-after pill; what plans she has to allow such pills to be available over the counter rather than on prescription; and if she will make a statement.

Mr. Sackville: The emergency contraception pill is a combined oral contraceptive which contains higher doses of hormones than many oral contraceptive pills. It is used for only a short duration of time and doctors are advised not to prescribe it to women who may be at risk of thromboembolic disorders. No reports of deaths associated with the use of this product have been received by the Committee on Safety of Medicines and information on precautions and side-effects is contained in the product particulars authorised by the Medicines Control Agency.

Applications for medicinal products to be reclassified to allow supply without prescription are normally made to the Medicines Control Agency by the company holding the licence for that product. Any change would be subject to advice from the relevant Medicines Act committee and the results of statutory consultation with all interested organisations.

Ambulance Services

Mr. McCartney: To ask the Secretary of State for Health (1) if she will list the NHS ambulance services which have contracts with private sector health care providers;

(2) how many private ambulance contracts there were in the period 1985 to 1993.

Mr. Sackville: The information is not available centrally.

Mr. McCartney: To ask the Secretary of State for Health how many private patient journeys were undertaken by NHS patients in England and Wales for journeys to and from *(a)* nursing homes and *(b)* private hospitals in the period from 1985 to 1993; what ambulance charges were levied on these NHS patients; and what was the total money earned from these charges for the same period.

Mr. Sackville: Information is not available centrally.

Dentistry

Mr. McCartney: To ask the Secretary of State for Health how many general dental practitioners qualified and took up NHS practice in each year since 1983.

Dr. Mawhinney: The available information is shown in the table. In 1983, the report of the departmental study group on dental manpower recommended a reduction in undergraduate intake to dental schools and in 1987 a similar study recommended further manpower reductions.

Number of students obtaining first qualification (United Kingdom)

Year	*Number*[1]
1982-83	777
1983-84	786
1984-85	787
1985-86	728
1986-87	791
1987-88	750
1988-89	717
1989-90	695
1990-91	700
1991-92	643
1992-93	673

Source: University Funding Council.

[1] Students normally resident in Great Britain.

Mr. McCartney: To ask the Secretary of State for Health what national guidelines exist for the assessment of orthodontic treatment need.

Dr. Mawhinney: An index of treatment need can be used by orthodontic specialists.

Mr. McCartney: To ask the Secretary of State for Health (1) how many general dental practitioners were registered with the Dental Practice Board in each year since 1983;

(2) how many general dental practitioners received remuneration for NHS treatments in each year since 1983.

Dr. Mawhinney: The available information is shown in the table.

General Dental Services
Number of general dental practitioners under contract to a family health services authority as at 30 September
England

Year	*Total*[1][2]
1983	13,672
1984	14,066
1985	14,334
1986	14,516
1987	14,765
1988	15,070
1989	15,351
1990	15,480
1991	15,451
1992	15,411
1993	15,773

Source: Dental Practice Board.

[1] Includes principals, assistants and vocational trainees.

[2] Some dentists have contracts with more than one family health services authority.

Mr. McCartney: To ask the Secretary of State for Health (1) what is her estimate of the number of individuals who received private orthodontic treatments in England and Wales during the period from 1983 to 1993;

(2) what plans she has for review of orthodontic services.

Dr. Mawhinney: There are no plans for a central review of orthodontic services specifically. However, the system of dental remuneration is currently under review, following consultation on the Bloomfield report.

We do not collect information on orthodontic treatment in the private sector.

Mr. McCartney: To ask the Secretary of State for Health how many patients are waiting for orthodontic treatment.

Dr. Mawhinney: Such information as is available is given in "Hospital Waiting List Statistics: England", copies of which are available in the Library.

Forensic Psychiatry

Mr. McCartney: To ask the Secretary of State for Health how many doctors are trained each year in forensic psychiatry; and how many qualified in forensic psychiatry are practising in the national health service.

Mr. Bowis: The total number of senior registrars and registrars training in forensic psychiatry as at 30 September 1992, the latest date for which figures are available, in England was 40. Approximately one quarter of these will complete training each year. The number of consultants qualified in forensic psychiatry at that time and practising in the national health service in England was 80.

Mr. McCartney: To ask the Secretary of State for Health how many forensic psychiatric patients have been treated in each year since 1985.

Mr. Bowis: Figures on finished consultant episodes relating to forensic psychiatry between 1988-1989 and 1991-92 for England are shown in the table. Comparable data for the years prior to 1988-89 are not available. These figures exclude patients treated in special hospitals and out-patients.

Forensic psychiatry (England—excluding special hospitals)
Number of finished consultant episodes

Year	*Number*
1988-89	933
1989-90	1,020
1990-91	1,106
1991-92	1,458

Information about patients treated in special hospitals is not collected in the same form. The numbers of discharges, including deaths, from special hospitals in each year since 1985 were:

Year	*Number*
1985	234
1986	154
1987	175
1988	196
1989	212
1990	209
1991	189
1992	220
1993	264

Mr. McCartney: To ask the Secretary of State for Health how many nursing and para-medical staff are qualified in forensic psychiatry and working in *(a)* high security units and *(b)* admission wards in psychiatric hospitals mental health trusts.

Mr. Bowis: There is no specific qualification in forensic psychiatry for nursing and paramedical ward staff.

Psychiatric Patients

Mr. McCartney: To ask the Secretary of State for Health how many psychiatric patients have been contracted out for treatment to the private sector in each year since 1979.

Mr. Bowis: This is a matter for each health authority.

Mr. McCartney: To ask the Secretary of State for Health if it is normal practice for a psychiatric patient who is admitted to a ward and then subsequently transferred to another ward to be registered in both wards.

Mr. Bowis: No.

Mr. McCartney: To ask the Secretary of State for Health in what circumstances it is the practice for newly admitted psychiatric patients to be admitted into the vacant beds of other psychiatric patients who are away or on leave for the weekend from their registered hospital.

Mr. Bowis: Patients would be admitted in this way only if there were no other beds available in the hospital and when, in the clinical judgment of the consultant in consultation with the nurse in charge of the relevant ward, such action was appropriate.

Mr. McCartney: To ask the Secretary of State for Health how many nursing and para-medical staff working in psychiatric wards in mental health trust hospitals have sustained non-accidental injuries from patients in each year since 1985.

Mr. Bowis: This information will be held by individual hospitals and trusts.

Mr. McCartney: To ask the Secretary of State for Health if it is normal practice to register the re-admission of a psychiatric patient on return to their mental health unit from a general hospital on receiving treatment for a physical condition.

Mr. Bowis: Transfers between psychiatric and other units are recorded on the clinical notes, with registration taking place at the first admission to the psychiatric unit.

Mr. McCartney: To ask the Secretary of State for Health how many high security psychiatric patients were admitted to psychiatric wards in non-high secure units in England and Wales in the period from 1985 to 1993.

Mr. Bowis: The assessment of whether a patient requires treatment in conditions of high security is made by an admissions panel at each of the three special hospitals. All patients assessed as requiring such treatment are admitted to the special hospital.

Deaf People

Mr. McCartney: To ask the Secretary of State for Health what were the national referral patterns and regional referral patterns for all units providing psychiatric services for deaf people in each year since 1987.

Mr. Bowis: Referrals to units providing psychiatric services for deaf people are made by general practitioners and other professionals and are funded by district health authorities. They will hold their respective records on referrals.

Mr. McCartney: To ask the Secretary of State for Health how many extra-contractual referrals for individuals requiring specialist psychiatric services for deaf people were made in 1993-94.

Mr. Bowis: A total of 2,776 occupied bed days and 143 day care sessions in 1993-94.

Childhood and Adolescent Psychiatry

Mr. McCartney: To ask the Secretary of State for Health what is the national referral pattern for adolescent psychiatric services; and what was the regional breakdown of contractual referrals for each health region for the period 1979 to 1993.

Mr. Bowis: Adolescent psychiatric services take place in a variety of settings from primary health care to highly specialised units. Most adolescents are seen by a multi-disciplinary team in a clinic or unit with only a very small minority being referred for specialist in-patient care.

Mr. McCartney: To ask the Secretary of State for Health what are the most common forms of mental illness for children and teenagers; and what was their incidence in the period 1979 to 1993.

Mr. Bowis: There are a wide range of mental health disorders with varying degrees of prevalence of which most are conduct and emotional disorders. Their prevalence range from 7 to 21 per cent. depending on such factors as the age of the child and whether the child is living in an urban or rural setting.

Mr. McCartney: To ask the Secretary of State for Health what capital charges were levied on each regional adolescent psychiatric unit in the latest year for which figures are available.

Mr. Sackville: Estimates of the level of capital charges which will be included in contract prices are collected in respect of individual trusts and authorities. This information is provided as an estimate for the trust or authority as a whole and is not broken down to reflect the amount of charge that will be recovered through the provision of any particular service that the trust or authority may provide.

Mr. McCartney: To ask the Secretary of State for Health how many beds designated specifically for adolescent psychiatry there were in each year since 1979 and at the latest available date.

Mr. Bowis: Adolescent beds are not identified separately in central Government statistics.

Mr. McCartney: To ask the Secretary of State for Health how many children and teenagers suffering from serious mental illnesses were admitted to psychiatric hospitals in the period 1979 to 1993.

Mr. Bowis: This information is not collected in the form requested. Figures on finished consultant episodes and deaths and discharges relating to child and adolescent psychiatry for England are shown in the table for the years for which figures are available.

Child and adolescent psychiatry (England)

	Number
Discharges and Deaths[1]	
1979	2,463
1980	2,589
1981	2,766
1982	2,517
1983	2,668
1984	2,659
1985	2,704
1986	2,448
Finished Consultant Episodes[1]	
1988-89	3,344
1989-90	2,819
1990-91	2,791
1991-92	2,542

[1] The figures for the number of discharges and deaths are not directly comparable with those for the number of finished consultant episodes.

Administrative Staff

Mr. Blunkett: To ask the Secretary of State for Health if she will list the number of managers and clerical and administrative staff employed by each regional health authority in 1993-94.

Dr. Mawhinney: I refer the hon. Member to the reply I gave him on 12 May at column *219.*

Radiotherapy

Mr. Barry Jones: To ask the Secretary of State for Health (1) if she will set up specialist centres to look at all aspects of radiotherapy injuries; and if she will make a statement;

(2) if she will meet members of the Radiotherapy Action Group Exposure; and if she will make a statement;

(3) what action she has taken to ensure that radiotherapy in the NHS is properly supervised; and if she will make a statement.

Mr. Sackville: I am very concerned that patients receiving radiotherapy should have confidence in their treatment. My noble Friend the Parliamentary Under-Secretary of State for Health, Baroness Cumberlege, has met recently representatives from Radiotherapy Action Group Exposure, together with Government's Chief Medical Officer, to discuss how best to consider their concerns. We are also working closely with the Royal College of Radiologists. We have agreed to establish a group of professionals and lay people to consider guidelines for the care of those who have suffered tissue damage following radiotherapy for breast cancer.

In 1991, the Department issued guidance entitled "Quality Assurance in Radiotherapy" which set out 18 requirements to be maintained to ensure quality in radiotherapy treatment. This guidance has been considered in two radiotherapy centres and the results set out in the document "Quality Assurance in Radiotherapy—A Quality Management System for Radiotherapy", which has recently been widely circulated. Copies of these documents will be placed in the Library.

HOME DEPARTMENT

Young Offenders

Mr. Maclennan: To ask the Secretary of State for the Home Department (1) what estimate he has made as to the adequacy of provision of suitable accommodation for young offenders being held on remand in the west country;

(2) if he will construct a table showing the number of places available for young offenders on remand in the west country in each relevant institution.

Mr. Peter Lloyd: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Maclennan, dated 17 June 1994:

The Home Secretary has asked me to reply to your recent Questions about accommodation for young offenders on remand in the West Country. The information given relates to the two Prison Service areas of Wessex & Wales and the West.

Most young offenders on remand are held in specially designated remand centres. Those in the West Country are listed in the attached table, which shows for each of them its certified normal accommodation (CNA), operational capacity, population, population as a percentage of CNA and population as a percentage of operational capacity, for Tuesday 14 June 1994. Her Majesty's Remand Centre Swansea is currently closed for refurbishment.

Young offenders on remand can also be held at the following local prisons: Exeter; Gloucester; Pucklechurch (for female prisoners); and, exceptionally, Cardiff and Dorchester. On occasions, a small number of young remand prisoners may be held at Portland, which operates normally as a young offender institution (that is, for sentenced young offenders). The accommodation at these establishments is not separately designated for adults and young offenders.

Remand Centres in Wessex and Wales and the West: 14 June 1994

Establishment	*CNA*	*Operational Capacity*	*Population*	*Percentage/CNA*	*Percentage/ Operational Capacity*
Cardiff RC	81	110	104	128	95
Dorchester RC	20	30	29	145	97
Exeter RC	51	69	51	100	74
Gloucester RC	81	78	96	96	

Police Cells

Mr. Pike: To ask the Secretary of State for the Home Department how many prisoners were held in police cells in each police force area in England at the latest date for which figures are available *(a)* on remand in custody awaiting trial, *(b)* on remand in custody awaiting sentence and *(c)* having been tried and released.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Peter Pike, dated 17 June 1994:

The Home Secretary has asked me to reply to your recent Question about the numbers of prisoners held in police cells, sub-divided into remands awaiting trial, remands awaiting sentence and those tried and released.

The only sub-division possible from information available centrally is between remands and convicted. As at 13 June, on this basis, the position was as follows:

Police Force	*Remands*	*Convicted*	*Total*
Greater Manchester	99	21	120
South Yorkshire	0	1	1
Totals:	99	22	121

Data Protection

Mr. Cohen: To ask the Secretary of State for the Home Department (1) if he will make a statement concerning the cost of implementing the proposed European Commission directive on data protection; and if he will place background material or submissions from data user organisations in the Library;

(2) if he will make a statement concerning the costs of implementing the Data Protection Act 1984.

Mr. Peter Lloyd: A recent survey, involving returns on behalf of some 625 organisations in the United Kingdom, suggested that the cost of implementing the directive in its present form within those organisations could come to some £2·24 billion, with annual costs thereafter of some £308 million. The organisations represented in the survey were only a small proportion of all users of personal data in the United Kingdom, so the total United Kingdom costs could be very considerably higher. No figures are available of the total costs to data users of the current data protection legislation: the survey suggested that the current annual cost for the organisations represented is some £13 million.

I am placing the paper showing the results of the survey in the Library of the House.

Mr. Cohen: To ask the Secretary of State for the Home Department (1) whether he has plans to amend the Data Protection Act 1984 to reduce the bureaucratic burden associated with registration; and if he will make a statement;

(2) what effect his initiative in relation to reducing the burden of bureaucracy will have on the operating of the Data Protection Act 1984; and if he will make a statement.

Mr. Peter Lloyd: The deregulation task force recommended that the data protection regime should be simplified. No action on this can usefully be taken, however, until the outcome of negotiations on the EC data protection directive is known. In its present form, the draft directive would impose additional burdens on data users, and the United Kingdom has been arguing for significant improvements to the text.

Mr. Cohen: To ask the Secretary of State for the Home Department whether he will make a statement in relation to progress being made towards agreement on the proposed European Commission directive on data protection; and if he will outline the areas where there is still disagreement between member states.

Mr. Peter Lloyd: The Council working party has now concluded its second reading of the revised text of the draft directive, and a report has been submitted to the Council of Ministers. It is not the practice during negotiations to disclose the extent of agreement or disagreement on any particular issue. Some progress has been made, but the range of views expressed continues to be very wide.

Mr. Allen: To ask the Secretary of State for the Home Department (1) if he will make a statement on the measures in force to prevent the disclosure of private information being gained by misrepresentation;

(2) for the Home Department what proposals he has in respect of the buying and selling of information that is being gained illegally from computer databases.

Mr. Peter Lloyd: The Data Protection Act 1984 requires users of computerised personal data to take appropriate security measures against unauthorised access to, or disclosure of, the data. In addition, it is an offence under the act knowingly or recklessly to disclose data otherwise than in accordance with the relevant entry in the register of data users held by the Data Protection Registrar.

There may, however, be a small lacuna in the law in respect of third parties who secure the disclosure of information by deception. For this reason, the Government intend to make it an offence to procure the disclosure of data in circumstances not covered by the register entry of the data user concerned. We believe the problem is best dealt with at the point where the data are obtained, rather than at the subsequent stage where use is made of them.

Rights of the Child

Ms Corston: To ask the Secretary of State for the Home Department what steps have been taken by his Department in fulfilment of article 3.3 of the United Nations convention on the rights of the child adopted by the United Kingdom Government in December 1991.

Mr. Peter Lloyd: Establishments in the Prison Service which have responsibilities for the care and protection of children are regularly inspected by Home Office health and safety inspectors, and by HM inspectorate of prisons. Remedial action is recommended whenever they consider these necessary standards are not met. Such recommendations are taken seriously and acted upon by the Prison Service.

The three units for mothers and babies in prison have been inspected twice by the social services inspectorate, and new guidance on the management of the units has been issued based on their recommendations.

A new health and safety policy unit has been set up within the directorate of health care in Prison Service headquarters, to monitor the delivery of the Prison Service health and safety policy in all establishments, and where necessary to insist upon remedial action.

Fire Safety Legislation

Mrs. Helen Jackson: To ask the Secretary of State for the Home Department if he will publish the scrutiny team's report on interdepartmental fire safety legislation; and if he will place a copy in the Library.

Mr. Charles Wardle: The report of the scrutiny team was received recently by Ministers and initial consideration of its contents and associated matters has only just begun. No decision has yet been taken on publication.

Remand Prisoners

Mrs. Wise: To ask the Secretary of State for the Home Department how many remand prisoners currently in custody awaiting trial have been categorised as category A prisoners.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mrs. Audrey Wise, dated 17 June 1994:

The Home Secretary has asked me to reply to your recent Question about the number of remand prisoners who have been categorised as category A.

On 14 June, 136 remand prisoners in custody awaiting trial were categorised as category A.

Campsfield House

Mr. Andrew Smith: To ask the Secretary of State for the Home Department which organisation paid for the extra security, medical and other costs incurred during the hunger strike at Campsfield house in March; and what was the value of the extra costs incurred.

Mr. Charles Wardle: These costs were met by the Home Office and amounted in March to £163,000.

Ms Elizabeth Frimpong

Mr. Andrew Smith: To ask the Secretary of State for the Home Department what was the cost of the deportation of Ms Elizabeth Frimpong to Accra, Ghana on 20 May.

Mr. Charles Wardle: Ms Frimpong was not deported. She was refused leave to enter the United Kingdom and removed in accordance with schedule 2 to the Immigration Act 1971 at the carrying company's expense. I am therefore not aware of the cost.

Immigration

Mr. Vaz: To ask the Secretary of State for the Home Department how many people were admitted as persons of independent means to the United Kingdom in each year from 1979 to 1993; of these, how many were admitted on the basis of remitting £500,000; and what character checks were made before the grant of clearance was given.

Mr. Charles Wardle: The information requested is not available.

Asylum Seekers

Mr. Madden: To ask the Secretary of State for the Home Department what is the policy of his Department in relation to divulging to *(a)* the media and *(b)* other third parties any information concerning applications in the United Kingdom for political asylum; and what assessment he has made of whether his Department's policy was properly observed in the case of Ms Tamara Norashkaryan.

Mr. Charles Wardle: It remains the normal policy not to divulge to any third party, including the media, the fact that an individual has applied for asylum or has been granted or refused asylum. However, where an applicant chooses for their own reasons to publicise details of their application, the nature of the consideration, or any decision made in respect of it, we reserve the right to comment publicly on their statements, if appropriate. I am satisfied that this policy is properly observed.

"Travel Information Manual"

Mr. Madden: To ask the Secretary of State for the Home Department what advice and assistance has been offered by his officials to those who compile the "Travel Information Manual" used by British Airways and other airlines; if he will arrange for his officials to ensure advice contained in the manual is in line with British immigration law; and if he will make a statement.

Mr. Charles Wardle: The Immigration and Nationality Department routinely provides the publishers of the "Travel Information Manual" with factual information about United Kingdom passport, visa and other entry clearance requirements, but has no editorial control over the way in which this information is presented.

SCOTLAND

Sheep Premium Grants

Mr. Wigley: To ask the Secretary of State for Scotland what is the estimated number of farmers in Scotland entitled to receive sheep premium grants; how many were settled by *(a)* 30 April, *(b)* 15 May and *(c)* 31 May and what each of those numbers of claims represents as a percentage of the estimated number of farmers in Scotland entitled to receive those grants.

Sir Hector Monro: Over 23,500 Scottish sheep producers currently hold quota and, provided they met the other requirements of the 1993 sheep annual premium scheme, were eligible to recieve premium under that scheme. Many farmers combine to form producer groups and the total number of 1993 claims received was 16,846. The number and percentage of those claims paid are as follows:

	Advance payment		*Final payment*	
	Number	*Per cent.*	*Number*	*Per cent.*
By 30 April	15,583	92.5	Nil	—
By 15 May	15,657	92·9	15,503	92·0
By 31 May	15,657	92·9	15,503	92·0

DEFENCE

Type 23 Frigate

Mr. Byers: To ask the Secretary of State for Defence when he expects to make a decision on whether a company linked with Tricorp International of France can take over the contract to complete the work on the final type 23 frigate at Swan Hunter, Tyneside.

Mr. Aitken: Negotiations on the novation of the type 23 frigate contract continue with the owners of Constructions Mécaniques de Normandie in respect of their prospective purchase of Swan Hunter Shipbuilders (in administrative receivership). These negotiations are commercially confidential to the company, but the outcome will depend on the owners of CMN purchasing the yard, who have stated that this would be conditional upon Swan Hunter winning the current competition for the refurbishment of the landing ship logistic, RFA Sir Bedivere.

WALES

M4

Mr. Gareth Wardell: To ask the Secretary of State for Wales what plans he has to resurface the eastbound carriageway of the M4 between junctions 45 and 44.

Sir Wyn Roberts: A scheme is in preparation for resurfacing the Morriston bypass—junctions 44 to 46. A start is expected later this financial year.

Mr. Gareth Wardell: To ask the Secretary of State for Wales what percentage of the total mileage of the M4 in Wales is fitted with side rumble markings; and what plans he has to fit the whole of the M4 in Wales with such markings.

Sir Wyn Roberts: A total of 60 per cent. of the whole length of the M4 in Wales has side rumble markings. Rumble markings will be laid on the remainder during the next two to three years.

Departmental Management Plan

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will place in the Library a copy of the Welsh Office departmental management plan.

Mr. Redwood: No. The Welsh Office's departmental management plan is intended primarily for internal management and control purposes. Information on the Department's aims, objectives and priorities is included in the Welsh Office departmental report, which was published in March 1994.

Rough Sleepers and Beggars

Mr. Austin Mitchell: To ask the Secretary of State for Wales what instructions are given to security staff in his departmental offices in London for dealing with *(a)* those sleeping rough in departmental doorways and *(b)* beggars in the vicinity; and how many problems have been experienced with each category in the last three months.

Mr. Redwood: None, none and none.

Cataract Surgery

Mr. Gareth Wardell: To ask the Secretary of State for Wales what *(a)* percentage discount rates and *(b)* special offers have been offered by each provider NHS trust in Wales to GP fundholders who place block orders for cataract surgery; and if he will indicate the numbers of throughput thresholds at which the discount offered changes.

Mr. Gwilym Jones: Information of the kind requested is not held centrally. Prices charged by NHS trusts should be calculated according to the principles established by the guidance on costing for contracting, a copy of which is in the Library of the House.

Marine Projects

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list the 36 schemes referred to in section J2(2) on page 20 of supply estimates 1994-95, class XV, Wales; and if he will indicate the rate of grant payable to each scheme.

Mr. Redwood: The list of schemes is set out as follows. Grant rates range between 35 per cent. and 75 per cent., but specific grant rates are available only for those schemes already approved.

Name of Scheme	*Local Authority*	*Grant Rate Per cent.*
Llandudno West Shore	Aberconwy BC	70
Penrhyn Bay VO5	Aberconwy BC	75
South Marine Terrace, Aberystwyth	Ceredigion DC	51
Ceredigion Coastal Study	Ceredigion DC	55
Borth Preliminary Study	Ceredigion DC	55
Rhos on Sea/Penrhyn Bay	Colwyn BC	75
Pensarn Promenade Study	Colwyn BC	75
Dwyfor Coastal Study	Dwyfor DC	75
Porth Neigwl Preliminary Study	Dwyfor DC	75
Llanelli Beach Phase I	Llanelli BC	70
Llanelli Beach Phase II	Llanelli BC	75
Meirionnydd Coastal Study	Meirionnydd DC	65
Aberavon Wall Phase I	Port Talbot BC	45
Aberavon Sea Wall Reinstatement	Port Talbot BC	55
Aberavon Wall Phase IV	Port Talbot BC	55
Prestatyn Phase V	Rhuddlan BC	75
Prestatyn Phase VI	Rhuddlan BC	75
Prestatyn Phase VII	Rhuddlan BC	75
Cemaes Bay	Ynys Mon BC	55
Porth Diana	Ynys Mon BC	55
Llandudno North Shore Phase I	Aberconwy BC	n/a
Aberystwyth Preliminary Study	Ceredigion DC	n/a
Victoria Terrace Phase I, Aberystwyth	Ceredigion DC	n/a
Aberaeron Harbour Pilot Scheme	Ceredigion DC	n/a
Pensarn Beach, Colwyn	Colwyn BC	n/a
Kinmel Bay Model	Colwyn BC	n/a
Aberdyfi Dunes	Meirionnydd DC	n/a
Tywyn Sea Wall Refurbishment	Meirionnydd DC	n/a
Pink Bay, Porthcawl	Ogwr BG	n/a
West Drive, Porthcawl	Ogwr BC	n/a
Amroth Phase I	South Pembrokeshire DC	n/a
Newquay Pier	Ceredigion DC	n/a
Dale	Preseli Pembrokeshire DC	n/a
Newport, Parrog	Preseli Pembrokeshire DC	n/a
Cwm Colhuw	Vale of Glamorgan BC	n/a
Beach Renourishment	Swansea City Council	n/a

Medical Consultants (Merit Awards)

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will place in the Library a list of the members of the Health Merit Awards Committee in Wales.

Mr. Gwilym Jones: Copies of the membership of both the C awards committee and the higher awards committee for Wales have been placed in the Library of the House.

Departmental Staff

Mr. Gareth Wardell: To ask the Secretary of State for Wales how many permanent staff are employed in each of the 58 divisions indicated in figure 1·01 of "The Government's Expenditure Plans 1994-95 to 1996-97," Cm. 2515.

Mr. Redwood: The total number of permanent staff employed by my Department at May 1994 is 2,363·5.

The following table shows the numbers of permanent staff in each division.

In addition there are 45·5 senior staff and their immediate support staff and 118 staff mainly on unpaid or maternity leave who are not assigned to a division.

The figures do not include the office of Her Majesty's chief inspector of schools, which is a separate Government Department.

Permanent staff by division as full time equivalents

	Numbers
Rural Tourism and Countryside Division	24·0
European Affairs Division	31·5
Urban Affairs Division	24·0
Policy Review and Development Division	12·5
Training Education and Intelligence Unit	12·0
Training and Enterprise Division	19·5
Contract Management and Financial Control Division	10·0
Further and Higher Education Division	13·0
Industrial Development Division	58·5
Business Services Division	28·5
Industrial and Regional Policy Division	45·5
Grants, Subsidies and Land Division	418·0
Fisheries and Animal Health Division	20·0
Commodities and General Agricultural Policy	17·5
Legal Division	55·5
Ministers Private Offices	29·0
Information Division	21·0
Cadw: Executive Agency	235·0
Central and Managaement Services Division 1	207·5
Central and Management Services Division 2	17·5
Personnel Management Division	64·5
Statistical Directorate	51·5
Economic Advice Division	6·0
Finance Services Division	62·0
Finance Programmes Division	23·5
Finance Local Government Division	19·0
Trust and Service Development Division	28·0
Organisation Development	25·5
Health Finance Management Division	24·0
Primary Health Care Division	25·5
Corporate Support Unit	3·5
Strategic Management Division	17·5
Public Health and Family Division	25·0
Health Policy and Resources Division	22·5
Community Care Division	20·0
Social Services Inspectorate	17·5
Architects and Surveyors Division	3·5
Housing Division	44·0
Nursing Division	9·0
Environmental Health Sub Group	3·0
Community and Primary Health Care Services Sub Group	22·0
Hospital Support Division	8·0
Dental Division	5·0
Pharmaceutical Division	3·0
Scientific Division	3·0
Network Management Division	43·0
Roads—North Wales	28·5
Roads—Construction	25·5
Roads Administration Division	65·0
Transport Policy Division	23·5
Planning Division	57·0
Estates Division	4·5
Environment Division	26·5
Local Government Reorganisation Division	23·0
Culture and Recreation Division	23·5
Schools Curriculum Division	18·0
Schools Administration Division	26·0

Departmental Circulars

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list all circulars issued by his Department since 1985 on the investigation of serious untoward incidents affecting patients; and if he will place a copy of each of those circulars in the Library.

Mr. Gwilym Jones: The circulars involved are "Reporting accidents with and defects in medical products, buildings and plant, and other medical and non-medical equipment and supplies"—WHC(89)26—and an addendum to this circular issued in December 1989. Copies have been placed in the Library of the House, as will the revised version currently being developed.

National Rivers Authority

Mr. Richards: To ask the Secretary of State for Wales what issues his advisory committee for Wales on National Rivers Authority functions has considered since the publication of its second annual report in December 1992.

Mr. Gwilym Jones: The committee's third annual report has been published and copies have been placed in the Libraries of the House.

Arable Aid Scheme

Mr. Alex Carlile: To ask the Secretary of State for Wales what is the aggregate loss of arable aid payments to farmers in less-favoured areas of Wales in 1994-95 as a result of the decision to divide Wales into two regions for arable aid on the basis of the LFA/non-LFA boundary, in comparison with what they would have received if Wales had been treated as one region; and if he will make a statement.

Mr. Redwood *[holding answer 14 June 1994]:* If Wales were treated as one region in 1994-95, the total payment for cereals to Welsh farmers in the LFA would be approximately £1·5 million[1]. With Wales divided into two regions on the basis of the LFA/non-LFA boundary, the total payment available to Welsh farmers in the LFA in 1994-95 will be approximately £1·1 million[1], the same as in 1993-94. It is not fair to say that farmers have lost compared with some hypothetical figure: total cereals payments in 1994-95 will actually remain the same in the LFA as they were in 1993-94.

[1] These figures assume:

(i) That the area of land on which arable aid payments for cereals are claimed in the 1994-95 marketing year is the same as that in 1993-94;

(ii) That the proportions of LFA and non-LFA land on which claims are made in the 1994-95 marketing year remain the same as in 1993-94; and

(iii) A green rate of £0·920969 per ecu, ie the current rate. Actual payments for the 1994-95 marketing year will depend on the green rate in force on 1 July 1994.

Arable Aid Scheme

Mr. Alex Carlile: To ask the Secretary of State for Wales what is the aggregate loss of arable aid payments to farmers in Wales in 1994-95 as a result of the decision to treat England and Wales as two regions for arable aid, in comparison with what they would have received if England and Wales had been treated as one region; and if he will make a statement.

Mr. Redwood *[holding answer 14 June 1994]:* If England and Wales were treated as one region in 1994-95 the total payment for cereals to Welsh farmers would be approximately £6·9 million[1]. With Wales treated separately the total payment will be approximately £5·5 million[1]. This compares with an actual total payment of £4·1 million last year, an increase of £1·4 million or more than one third. It is not sensible to call a comparison with some better hypothetical system a loss, when payments will go up.

[1] These figures assume that the area of land on which arable aid payments for cereals are claimed in Wales for the 1994-95 marketing year is the same as that in 1993-94 and a green rate of £0·920969 per ecu, ie the current rate. Actual payments for the 1994-95 marketing year will depend on the green rate in force on 1 July 1994.

INDEX TO THE

PARLIAMENTARY DEBATES

SIXTH SERIES

OFFICIAL REPORT

SESSION 1993–94

VOLUME 244

23rd May—17th June 1994

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading 'Speaker's rulings and statements'.

Other contributions by Speaker and deputies appear under the heading Speaker.

Opposition Day Debates and Estimates Day Debates and Standing Order No. 10 applications are listed under those respective headings and under subject headings too.

The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

Column numbers followed by the letter W refer to Written Questions. These appear at the end of each daily part or volume with their own sequence of column numbers printed in italics.

INDEX—SESSION 1993–94

23rd May 1994–17th June 1994

A5
M40 525w

A19
Telephones 282w

A35
Bypasses 519w

A41
Bypasses 524w
Road traffic 524w

A47
Road works (23.05.94) 156–64

A80
Road works 332

Abortion
Channel Islands 126–7w
Northern Ireland 200w

Abortion Act 1967
Questions
200w

Access to buildings
Palace of Westminster 9
Prisons 14–5w

Access to countryside
326

Accident and emergency departments
Scotland 206w
Trent Regional Health Authority 209w
Wales 614w

Accounting
Channel Four 4

Adams, Rolan
Homicide 268w, 326w

Administration of justice
751
Crime victims 403w
Judges 5w

Admissibility of evidence
Hypnosis 161w

Adoption
Children's rights 302w
Ethnic minorities 34w
Scotland 460–2w

Adult education
485w
Hereford and Worcester 502

Advertising
Universities 92w

Advisory Committee on NHS Drugs
Public appointments 589w

Advisory Conciliation and Arbitration Service
Annual reports 288w

AEA Technology
see United Kingdom Atomic Energy Authority

Aerospace industry
Employment 287w

Age discrimination
Health services 32w, 299w

Agricultural Development and Advisory Service
Wales 234–5w

Agricultural land
Inheritance tax 9w
Water pollution 435–6w

Agricultural marketing
Milk 141–2w, 644–6w, 672w

Agricultural subsidies
Cereals 439w

Agricultural workers
Average earnings 144w

Aid financed trade
17w, 393w

AIDS
Dementia 683–4w

AIDS—continued
Government grants to local authorities 298w
Hospital beds 683w
Nurses' training 683–4w
Prisoners 270–1w

Ainger, Mr Nick
Questions
Birds of prey, Wales 132w
Cetaceans, Nature conservation 429w
Civil Rights (Disabled Persons) Bill 1993/94 179–80
Environment protection, Disclosure of information 631w
GCE A level, Further education colleges 475–6w
Health authorities, Finance 381–2w
Health authorities, Wales 548–50w
NHS finance, Wales 131–2w
NHS trusts, Pay 174
Petroleum exploration, Environment protection 417w
Regional health authorities, Finance 381–2w
Tanker ships, Skomer Island 57–8w
Welsh Office, Block grant 356w, 551–3w

Ainsworth, Mr Peter
Questions
National Union of Rail Maritime and Transport Workers, Industrial disputes 512

Ainsworth, Mr Robert
Questions
British Road Transport Museum 183w
Domestic energy conservation 237–8w
Freight transport 135w
Gas tariffs, Domestic energy conservation 318w
Health service staff, Opposition parties 119w
Museums and galleries 183w
Museums and galleries, Road transport 184w
Office of Gas Supply, Public appointments 416w
Office of Gas Supply, Recruitment 600w

Air accidents
Fire services 559w
Helicopters 737–8, 742–3

Air force
Armed forces training 528–30w
Deafness 527w
Defence procurement 222w

Air force strength
110w

Air freight transport
54–5w

Air pollution
Exhaust emissions 89–90w

Air pollution control
339w
Carbon dioxide 335–6w
Sulphur dioxide 154–6w
Treaties 154–6w

Air pollution monitoring
Nottingham 632w

Air traffic
Gatwick Airport 523–4w
Heathrow Airport 523–4w

Air transport
RAF Northolt 519w

Aircraft
173w

Airlines
Immigrant detainees 16–7w

Airwork
Defence contracts 233w

***Aitken, Mr Jonathan**, Minister of State for Defence Procurement*
Questions
Air force, Defence procurement 222w

Aitken, Mr Jonathan—continued
Airwork, Defence contracts 233w
Armed forces, Forth Valley 529–30w
Armed forces civilians, Manpower 110w
Arms imports 219w
Arms trade, Belgium 530w
Arms trade, Export licensing 530–1w
Arms trade, Jordan 530w
Arms trade, Malaysia 531w
Army strength 564–5w
Ballistic missile defence, Contracts for services 528w
British Aerospace, Takeovers 231w
Civil servants' business appointments, Ministry of Defence 532w
Defence contracts 233w
Defence costs study 111w, 529w
Defence costs study, Treasury 529w
Devonport dockyard, Contracts for services 71w
Devonport dockyard, Contracts of employment 71w
Devonport dockyard, Redundancy 71w
Devonport dockyard, Trident submarines 72w
European fighter aircraft 108–9w
European fighter aircraft, Costs 72–3w
Helicopters, Defence procurement 72w
Hercules aircraft 220w
International Military Services 220w, 531w
Military aircraft 220w
Ministry of Defence, Civil servants 220w
Minx programme 527w
Navy strength 565w
Nuclear submarines, Transport of radioactive materials 535w
Nuclear test ban 536w
Nuclear weapons 536w
Repetitive strain injury, Ministry of Defence 219w
Royal Ordnance, Arms trade 531w
Swan Hunter Shipbuilders 532w
Swan Hunter Shipbuilders, Frigates 694–5w
Trident missiles, Testing 234w, 537w
Woolwich Arsenal, Defence equipment 221w

Albania
EC aid 394w

Alcohol and crime
161–2w

Alcoholic drinks duties
179w, (25.05.94) 356–9
Tax evasion 179w, 454w
Tax yields 306w

Alcoholism
Health hazards 124w
Prisoners 257–8w, 610–2w

***Alison, Rt Hon Michael**, Second Church Estates Commissioner*
Debates etc.
Care of Cathedrals (Supplementary Provisions) Measure 1994 (16.06.94) 853–4, 859–60
Questions
Church Commissioners, Pensions 7–8w
Religious education 485–6w
Women clergy, Compensation 7w

Allason, Mr Rupert
Questions
Bed and breakfast accommodation, Licensing 96–7w
Broadcasting controls, Northern Ireland 180

Allen, Mr Graham
Questions
Computer privacy 692w
EC immigration 492–4w
EC nationals, Right of abode 14w
Freedom of establishment, Companies 255w
Immigrants' dependants, European Economic Area 10w
Immigrants' dependants, Immigration rules 254w

***Allen, Mr Graham**—continued*
  Immigration applications, Immigrants' dependants 253–4w
  Immigration (European Economic Area) Order 1994, Marriage of convenience 100w
  Immigration (European Economic Area) Order 1994, Social security 10w
  Immigration (European Economic Area) Order 1994, Vocational training 101w
  Immigration rules, Turkey 9w, 101w
  Marriage of convenience 253w
  Millbank, Satellite broadcasting 106w
  Political refugees, Police custody 16w
  Social security benefits 367w
  VAT, School fees 360w
  Yemen, Entry clearances 165w

Allergies
  Food labelling 182w
  Nuts 182w

Alnwick District Council
  Bye laws 100w

Alternatives to prison
  258–66w

Alton, Mr David
    Questions
  China, Overseas aid 389w
  Departmental correspondence 189w
  Doctors' list of patients, Departmental correspondence 301w
  EC grants and loans, Merseyside 418w
  Engineering industries 418w
  Human embryo experiments 295–6w
  Human embryo experiments, Waste disposal 210w
  Human Fertilisation and Embryology Authority, Licensing 210–1w
  Iran, Sanctions 44w
  Legal aid scheme, Franchising 330w
  Metropolitan Police 164w, 281w
  Petroleum exploration 416–7w
  Sinn Fein, Northern Ireland government 741
  Sudan, Sanctions 45w

Alzheimer's disease
  Hospital beds 591w

Ambulance services
  119w
  Emergency calls 653w
  Manpower 386–8w
  NHS and private practice 680w, 684w
  Northern Ireland 680w
  Scotland 202w

Ambulances
  Driving 202w

Amendments and new clauses
  Civil Rights (Disabled Persons) Bill 1993/94 (25.05.94) 342
  Local Government (Wales) Bill (HL) 1993/94 235w
  Private Members' bills 166w, 225w, 230w

Amess, Mr David
    Debates etc.
  Commission for the New Towns (25.05.94) 380–2
    Questions
  Fire prevention, Safety measures 630w

***Ancram, Mr Michael**, Minister of State, Northern Ireland Office*
    Debates etc.
  Northern Ireland government (26.05.94) 472–5
    Questions
  Abortion, Northern Ireland 200w
  Ambulance services, NHS and private practice 680w
  Arable area payments scheme, Northern Ireland 448–50w
  Cairnshill School 194–5w
  Cancer, Northern Ireland 290–1w
  Cattle, Slaughterhouses 195–6w
  Dental services, Northern Ireland 675w, 677w
  Dentists, Northern Ireland 676–7w

***Ancram, Mr Michael**—continued*
  Dentists, Pay 676w
  Family planning, Northern Ireland 292w
  Horses, Export of live animals 648w
  Hospital waiting lists, Northern Ireland 588w
  Integrated schools, Northern Ireland 650w, 747–8
  Integrated schools, Rathlin Island 748
  Licensing laws, Northern Ireland 290w
  Making Belfast work programme, Further education 588w
  Mental health services, Deaf 679w
  Mental health services, Young people 677–8w
  Mental hospitals, Violence 680–1w
  Mental patients, NHS and private practice 680w
  Mental patients, Northern Ireland 679w
  Mental patients, Secure psychiatric units 680w
  Mentally ill, Young people 678–80w
  Northern Ireland government 291w, 649w, 739–41, 748–9
  Northern Ireland health and social services trusts 194w
  Nurses, Northern Ireland 444–6w
  Nurses' training, Northern Ireland 445w
  Outdoor education, Northern Ireland 293w
  Psychiatry, Doctors 679w
  Psychiatry, Health service staff 679w
  Schools, Capital investment 447w
  Social security abuse, Northern Ireland 291w
  Special education, School meals 449w

Anderson, Mr Donald
    Debates etc.
  Local Government (Wales) Bill (HL), Rep (15.06.94) 680–1
  Ministry of Defence police (26.05.94) 451, 456
  Railway pension orders (23.05.94) 129, 133, 146–7
    Questions
  Prescription charges exemptions 556w

Anderson, Ms Janet
    Questions
  Cold weather payments 192w

Anglo-Irish Intergovernmental Conference
  738
  Disclosure of information 737

Anglo-Irish talks
  744–5
  Sinn Fein 741

Angola
  Foreign relations 595w

Animal experiments
  Licensing 162w, 164w

Animal welfare
  436–7w, 440w
  Slaughterhouses 440w
  Transport of animals 148w

Annesley Bentinck colliery
  Water pollution 331–2w

Antifouling paint
  517w

Apprentices
  287–8w, 412–4w

Arable area payments scheme
  Marginal land 698–9w
  Northern Ireland 448–50w
  Scotland 462w
  Wales 548w, 672w, 698–700w

Ards
  Terrorism 446–7w

Argentina
  625
  Foreign policy 624–5
  Sovereignty 624–5

Armed conflict
  Bosnia-Herzegovina (25.05.94) 349–52

***Armed conflict**—continued*
  Rwanda 43–4w, 395–6w, 593w, 613–4, 617–9, 640–2w
  Yemen 254w, 396–7w

Armed forces
  Food 621w
  Forth Valley 529–30w
  Redundancy pay 530w

Armed forces casualties
  Iraq 111w

Armed forces civilians
  Manpower 110w

Armed forces deployment
  Bosnia-Herzegovina 232w, 531w
  New Zealand 531w
  Rwanda 594w

Armed forces discharges
  Pregnant women (25.05.94) 410–8

Armed forces housing
  Empty housing 71w
  Plymouth 71w

Armed forces officers
  Fringe benefits 534w

Armed forces training
  Air force 528–30w
  Costs 234w
  RAF Valley 109w

Arms control
  Foreign and Commonwealth Office 402–3w

Arms embargoes
  Israel 224w
  Syrian Arab Republic 224w

Arms imports
  219w

Arms to Iraq Inquiry
  14

Arms trade
  Belgium 530w
  Developing countries 318w
  Export licensing 530–1w
  Jordan 530w
  Malaysia 531w
  Mines 400w
  Royal Ordnance 531w
  Rwanda 619

Army Air Force and Naval Discipline Acts (Continuation) Order 1994
    Debates etc.
  (14.06.94) 517

Army Base Repair Organisation
  Performance standards 111–2w

Army bases
  Hazardous wastes 232w
  USA 232w

Army strength
  564–5w

Arnold, Mr Jacques
    Debates etc.
  Channel tunnel, Railway network (25.05.94) 375–7
  Civil Rights (Disabled Persons) Bill (25.05.94) 346
  GATT (14.06.94) 542, 552, 558, 565, 567–71, 589–91
    Questions
  Business questions 763
  Cuba, Human rights 623
  Grant maintained schools, Voting methods 506
  Tourism 11–2

Arnold, Sir Thomas
    Debates etc.
  Overseas trade, Cuba (26.05.94) 476–9
    Questions
  Copyright Tribunal 315–6w
  Forestry Commission 325
  Northern Ireland government 649w, 740–1

Arrests
  RAF Chicksands 533w

Arrests—continued
Terrorism 446–7w

Arts Council
5–6
Disclosure of information 6–7

Arts finance
North West region 1

Arts sponsorship
4–5

Ashby, Mr David
Debates etc.
Child Support Agency (26.05.94) 443–4

Ashdown, Rt Hon Paddy
Questions
Peace negotiations, Northern Ireland 178–9
Prime ministers questions 514

Asthma
173–4

***Atkins, Mr Robert**, Minister of State, Dept of the Environment*
Questions
Air pollution control, Carbon dioxide 335–6w
Air pollution monitoring, Nottingham 632w
Beaches, Water pollution 88–9w
British Waterways Board, Ombudsman 334w
Cetaceans, Nature conservation 429w
Climate change convention 339–40w
Coastal protection 87w
Domestic energy conservation 237–8w
Environment protection, Industry 95w
Environment protection, Ministerial duties 152w
Environmental action fund 333w
Exhaust emissions, Air pollution 89–90w
Genetic engineering, Data banks 153w
Gun sports, Noise control 150w
Hazardous wastes, Imports 569–70w
Hazardous wastes, USA 150–1w
Marine nature reserves 87w
National parks, Local authorities 336w
Nature Conservancy Council for England, Countryside Commission 631w
Nature conservation, EC law 239w
Nature reserves, Somerset levels 338–9w
Noise 567w
Oslo Commission 337–8w
Petrol alternatives, Natural gas 153w
Radioactive waste disposal 96w
Radioactive wastes, Japan 342w
River Darent, Water abstraction 568w
Rivers, Sites of special scientific interest 568w
Sewers, Repairs and maintenance 333w
Sizewell B, "This Common Inheritance Third Year Report" 96w
Special protection areas 149–50w
Special protection areas, Portsmouth Harbour 150w
"This Common Inheritance Third Year Report" 83w
THORP 86w
UN Convention on Biological Diversity 569w
United Kingdom NIREX 152w
Water abstraction, Liability 87–8w
Water charges 567w
Water pollution 235–6w
Water pollution, Annesley Bentinck colliery 331–2w
Water pollution, Beaches 343–4w
Water pollution, EC law 340w
Water pollution, Worcester 332w
Water supply, Water pollution 344w
Water treatment, EC law 341w

Atkinson, Mr Peter
Questions
Crown Prosecution Service 47w
Legal opinion, Personal injury 4–5w
Legal opinion, Small claims 3w
Personal injury, Medical malpractice 5w

Attorney General
Cellular phones 170–2w

Attorney General—continued
Civil servants' business appointments 368w
"Code of Practice on Access to Government Information" 327w
Consultants 48w, 170w, 368–70w
Departmental publications 368w
Repetitive strain injury 326w

Audit
NHS 122w
Small businesses 77–8w

Austin-Walker, Mr John
Debates etc.
Handicapped, Civil rights (26.05.94) 483–6
Trade competitiveness (17.06.94) 882–3, 894
Questions
Abortion, Northern Ireland 200w
Adams, Rolan, Homicide 268w
Lawrence, Stephen, Homicide 325–6w
Magistrates' courts, Belmarsh 5w
Prisoners' transport, Belmarsh Prison Woolwich 13–4w
Woolwich Arsenal, Defence equipment 221w

Australia
Thatcher, Margaret 289w

Availability for work
578w

Average earnings
626–8w
Agricultural workers 144w

Aviation Security (Air Cargo Agents) Regulations 1993
Questions
54–5w

Ayrshire and Arran Health Board
Breast cancer 658–9w

Badges
Diplomatic service 674w

Baker, Rt Hon Kenneth
Debates etc.
Trade competitiveness (24.05.94) 189

***Baldry, Mr Tony**, Parliamentary Under-Secretary of State, Dept of the Environment*
Debates etc.
Hypermarkets, Town & country planning (26.05.94) 465–8
Local government reform, Humberside (26.05.94) 494–8
Merseyside, Government assistance (26.05.94) 436–8
Questions
Bed and breakfast accommodation, Licensing 96–7w
British Nuclear Fuels, THORP 342–3w
Building regulations, Heating 671w
Building Research Establishment, Performance standards 632–3w
Calderdale Borough Council, Contracts for services 239–40w
Cellular phones, Dept of the Environment 84w
Civil servants' business appointments, Dept of the Environment 343w
"Code of Practice on Access to Government Information", Dept of the Environment 333–4w
Consultants, Dept of the Environment 332w
Council of Europe, Local government 96w
Councillors' allowances 348w
County Hall 632w
Departmental publications, Dept of the Environment 341–2w
Dept of the Environment, Written questions 153w
Direct labour departments, Financial targets 345–6w
Farms, Shops 240–1w
Greenbelt, West Midlands 631–2w
Gypsies, Caravan sites 345w
Local authority powers, Referenda 340–1w

Baldry, Mr Tony—continued
Local government services, Contracts for services 346–8w
Local government services, Road works 346w
Local government staff, Redundancy pay 348–9w
Nuclear fuel reprocessing 333w
Parish councils, Referenda 86w, 344w
Planning Inspectorate, Performance standards 153–4w
Planning permission, Coal mining 154w, 335w
Repetitive strain injury, Dept of the Environment 151w
Safeway, Planning permission 671w
Security, Dept of the Environment 632w

Ballistic missile defence
Contracts for services 528w

Ballot papers
Braille 100–1w
EC countries 100–1w
Election administration 256w

Baltic states
Know-how Fund 17w

Banks, Mr Matthew
Questions
Overseas aid 16

Banks, Mr Robert
Questions
Energy policy 599–600w
Harrogate Borough Council, Council housing 237w
Mature students, Student numbers 138w
North Yorkshire Training and Enterprise Council, Administrative costs 410–1w
Tourist industry, Training 78–9w

Banks, Mr Tony
Debates etc.
Business questions intervention (16.06.94) 755
Questions
Argentina 625
Business questions 764–5
Indonesia, Foreign relations 594w

Barnes, Mr Harry
Debates etc.
Child Support Agency (26.05.94) 446
Civil Rights (Disabled Persons) Bill, Points of order (23.05.94) 24
Handicapped, Civil rights (26.05.94) 488–9
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 289, 298–9
Northern Ireland government (26.05.94) 469–72, 474
Questions
Business questions 761–2
Marshall Plan of the Mind 10–1
Palace of Westminster, Day care of children 106w
Pre-school education 503

Barnsley and Doncaster Training and Enterprise Council
49w

Barristers
Ethnic minorities 330w

Barron, Mr Kevin
Questions
Industrial health and safety, Orders and regulations 413w
Tobacco advertising, Health hazards 301w

Bates, Mr Michael
Debates etc.
Trade competitiveness (17.06.94) 906–7, 922
Questions
Business questions 764
Compulsorily detained mental patients 123w
Police authorities, Expenditure 11–3w

Batiste, Mr Spencer
Questions
Business questions 337
Dept of National Heritage, Cash limits 563–4w
European Commission 615

Battle, Mr John
Questions
Council housing, Repairs and maintenance 85w
Dental services, Leeds 120–1w
Nuclear fuel reprocessing 333w
Palestinians, Overseas aid 140–1w

Bayley, Mr Hugh
Debates etc.
Care of Cathedrals (Supplementary Provisions) Measure 1994 (16.06.94) 855–7
Oral question time point of order (24.05.94) 182
Railway pension orders (23.05.94) 131, 149
Questions
Energy prices, Standing charges 600–1w
GP fundholders 175–6
Housing Corporation, North Yorkshire 83w
Imphal barracks, Offices 74w
National Railway Museum 78w
Railway workers, Occupational pensions 516w

BBC
81w
Conditions of employment 4
Privatisation 3–4

Beaches
Pollution control 82w
Tourism 82w
Water pollution 88–9w, 343–4w

Beckett, Rt Hon Margaret
Questions
Taxation 749–50
VAT, Energy prices 177–8, 512–3

Bed and breakfast accommodation
Licensing 96–7w

Beef premiums
309w

Begging
371w

Beggs, Mr Roy
Debates etc.
Cyprus (26.05.94) 421–2
Questions
Northern Ireland Pre-School Playgroups Association, Training 293w
Planning inquiries, Northern Ireland 445–6w
Special education, School meals 449w
Training, Northern Ireland 197–9w

Beith, Rt Hon A J
Questions
Building industry, Fire regulations 280w
Bye laws, Alnwick District Council 100w
Fishing gear 142–3w
Palace of Westminster, Day care of children 229w, 415w

Belgium
Arms trade 530w

Belize
Overseas aid 16

Bell, Mr Stuart
Debates etc.
GATT (14.06.94) 524, 531–7, 595

Bellingham, Mr Henry
Debates etc.
A47, Road works (23.05.94) 161
Questions
Junior hospital doctors, Working hours 120w
Sinn Fein, Anglo-Irish talks 741

Belmarsh
Magistrates' courts 5w

Belmarsh Prison Woolwich
Prisoners' transport 13–4w

Bendall, Mr Vivian
Debates etc.
Armed forces discharges, Pregnant women (25.05.94) 416

Benefits Agency
see Social Security Benefits Agency

Benefits Agency district offices
One stop shop initiative 104w

Benn, Rt Hon Tony
Questions
European parliament elections 620

Bermingham, Mr Gerald
Questions
Centre for Policy Studies 13–4

Berry, Mr Roger
Debates etc.
Handicapped, Civil rights (26.05.94) 486–7
Trade competitiveness (17.06.94) 873, 922, 930
Questions
Business questions 337

Betts, Mr Clive
Debates etc.
Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 (25.05.94) 399–407

Biffen, Rt Hon John
Questions
Business questions 336–7
Public expenditure, Scotland 324

Bilateral aid
391w

Bill of Rights
Northern Ireland 294w

Birds of prey
Wales 132w

Birmingham
Hospitals 215w

Birmingham relief road
Public inquiries 283w

Birth rate
District health authorities 29–30w

Blackburn, Dr John G
Debates etc.
Education (24.05.94) 205
Questions
Business questions 336

Blackpool
Tourism 9

Blair, Mr Tony
Questions
Crown Prosecution Service 661w

Blind
Postal services 6[illegible]w

Block grant
Welsh Office 3[illegible]w, 551–3w

Blood donors
Creutzfeldt-Jakob dementia 297w

Blue ear pig disease
Disease control 141w

Blunkett, Mr David
Questions
Ambulance services, Manpower 386–8w
Community care 298–9w
District health authorities, Executives 300w
District health authorities, Mergers 36w
Epsom Health Care NHS Trust, Pay 383w
GP fundholders 214w
GP fundholders, Performance standards 37w
Health service staff, Pay settlements 383–4w

Blunkett, Mr David—continued
Health services, Age discrimination 299w
Hospital patients 215w
Hospital waiting lists 388w
Hospital waiting lists, Northern Ireland 588w
Hospital waiting lists, Wales 617–9w, 659w
Medical research, Research finance 215–6w
Mental illness, Lost working days 30w
Necrotising fasciitis 171
Necrotising fasciitis, Medical research 433–4w
NHS, Cars 215w
NHS, Performance standards 36w
NHS, Private investment 124–6w
NHS trusts, Consultants 384w
NHS trusts, Executives 175
NHS trusts, Nottinghamshire 374–5w
Nurses' training 125–6w
Regional health authorities, Manpower 689w

Board of Inland Revenue
see Inland Revenue

Boateng, Mr Paul
Questions
Barristers, Ethnic minorities 330w
Courts, Expenditure 329w
Judges, Training 328w
Judiciary, Public appointments 327–9w
Legal aid scheme, Franchising 406w

Body, Sir Richard
Questions
Environmental action fund 333w
Gangmasters, Lincolnshire 94–5w
Scrapie 440w

Bolton General Hospital
Hospital waiting lists 176

Bombings
Lockerbie 319–20, 369w, 595w, 606–7w

Bonsor, Sir Nicholas
Questions
Air force, Armed forces training 528–30w
Armed forces deployment, New Zealand 531w
Armed forces training, Costs 234w
Defence costs study, Treasury 529w
Exercise First Crusade 108w, 531w
King's Troop Royal Horse Artillery, Festivals and special occasions 218w
Military exercises, Botswana 218–9w

Booth, Mr Hartley
Questions
Admissibility of evidence, Hypnosis 161w
Help us to help you campaign 121w

Bosnia-Herzegovina
Armed conflict (25.05.94) 349–52
Armed forces deployment 232w, 531w
Foreign policy 622
Goodall, Paul 217–8w

***Boswell, Mr Tim**, Parliamentary Under-Secretary of State for Education*
Questions
Adult education 485w
Dept for Education, Publicity 500–2
Education, Private investment 475w
Foreign students 171–2w
Further education colleges, Lancashire 586w
GCE A level, Further education colleges 475–6w
Graduates 476w
Grant maintained schools, Publicity 501
Higher education 500
Higher education teachers, Recruitment 625w
Labour Party, Educational policy 501
Mature students, Student numbers 138w
Medical education 585w
Science education 587w
Student grants 474w, 484w, 508–9
Student loans 499–500
Student loans, Student numbers 499

Boswell, Mr Tim—continued
Student numbers 508
Students, Finance 475w
University teachers, Medical education 488w

Botswana
Military exercises 218–9w

Bottomley, Mr Peter
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 28–31, 36
Railway pension orders (23.05.94) 132, 138–41, 145, 148
Questions
Buses, Road safety 515–6w
Lawrence, Stephen, Homicide 325w
Marshall Plan of the Mind 11
Metropolitan Police 163w
Water pollution, Beaches 343–4w

Bottomley, Virginia
Members' conduct (25.05.94) 359–61

***Bottomley, Rt Hon Virginia**, Secretary of State for Health*
Questions
Community care 165–6
Community care, Isle of Wight 166
GP fundholders 173
GP fundholders, Private health services 172–3
Health service staff, Wales 167
NHS trusts, Pay 167–8
Residential care, Private health services 166

Bovine spongiform encephalopathy
310w, 441w

***Bowis, Mr John**, Parliamentary Under-Secretary of State, Dept of Health*
Questions
Adoption, Children's rights 302w
Adoption, Ethnic minorities 34w
Alcoholism, Health hazards 124w
Child care, Lambeth 211w
Child safety, Health visitors 304w
Child safety, Social workers 302w
Children Act 1987 302w
Community care 168–70, 296w, 298–9w
Community care, Fees and charges 624w
Community care, Homelessness 624w
Community care, Hospital discharges 36w
Community care, Housing associations 624w
Compulsorily detained mental patients 123w
Day care of children 303w
Deaf, Mental health services 687–8w
Drug abuse 124w
Electroconvulsive therapy, Children 589w
Handicapped, EC action 381w
Health services, Age discrimination 299w
Hospital beds, Geriatric patients 119–20w
Mental health services, Expenditure 30–1w
Mental health services, Young people 688w
Mental hospitals, Violence 687w
Mental hospitals, Young people 688–9w
Mental illness, Lost working days 30w
Mental patients 686w
Mental patients, Hospital admissions 687w
Mental patients, Hospital beds 687w
Mental patients, Hospital wards 687w
Mental patients, NHS and private practice 687w
Mental patients, Secure psychiatric units 687w
Myasthenia gravis 376w
Nursing homes 623–4w
Psychiatry, Doctors 686w
Psychiatry, Health service staff 686–7w
Residential care, Private health services 377w
Respite care, East Sussex 169
Respite care, Hospital beds 591–2w
Suicide, Paracetamol 122w
Suicide, Rural areas 302w

Bowis, Mr John—continued
UN Convention on the Rights of the Child 378w
Wheelchairs 210w, 382–3w

Bradford
Travelling people 241w

Bradley, Mr Keith
Questions
Independent Living 1993 Fund 681w
Independent Living 1993 Fund, Local government social services 39–40w

Braille
Ballot papers 100–1w

Brandreth, Mr Gyles
Debates etc.
Marriage Bill, 1R (15.06.94) 630
Questions
Advisory Conciliation and Arbitration Service, Annual reports 228w
Digital television, Broadcasting licences 98–9w
Hospital admissions 176–7

Bray, Dr Jeremy
Debates etc.
Trade competitiveness (24.05.94) 191
Questions
Ravenscraig steelworks 327–8

Brazier, Mr Julian
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 56–8
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order1994 (24.05.94) 270, 273, 277
Questions
Falkland Islands, Prosecutions 513–4

Breast cancer
Ayrshire and Arran Health Board 658–9w
Guy's Hospital 123w
Scotland 659w
Screening 658–9w

Bridges
Lorries 135w

British Aerospace
Space technology 316w
Takeovers 231w

British Broadcasting Corporation
see BBC

British citizenship
557w

British Coal Corporation
Land ownership and tenure 325w
Privatisation 176w, 424–5w, 670w

British Gas
Privatisation 425w

British Nuclear Fuels
Radioactive waste disposal 76w
THORP 342–3w

British Rail
Dewe Rogerson 283–4w
Season tickets 517w

British residents abroad
Prisoners 642–3w

British Road Transport Museum
183w

British Waterways Board
Ombudsman 334w

Broadcast journalism
Northern Ireland 293w

Broadcasting
Northern Ireland 738–9

Broadcasting controls
Northern Ireland 180

Broadcasting licences
Digital television 98–9w

Bronchitis
Industrial injuries scheme 245–6w, 364w
Prescribed industrial diseases 127w

***Brooke, Rt Hon Peter**, Secretary of State for National Heritage*
Questions
Arts Council 5–6
Arts Council, Disclosure of information 6–7
Arts finance, North W[illegible]region 1
Arts sponsorship 4–5
BBC 81w
BBC, Conditions of employment 4
BBC, Privatisation 3–4
Channel Five 4
Channel Four, Accounting 4
Concessionary television licences, Pensioners 79–80w
Dept of National Heritage, Cash limits 563–4w
Dept of National Heritage, Insurance 184w
Digital television, Broadcasting licences 98–9w
Film industry 6
Football, Sportsgrounds 227–9w
London News Network 8
Marshall Plan of the Mind 10–1
Mass media, Ownership 79w
Mass media, Privacy 81w
National Lottery 10, 12, 82w, 452w
NHS finance, North West region 2
Orchestras 79w
Orchestras, Greater London 7
Press, Self-regulating organisations 80w
Royal Liverpool Philharmonic Orchestra 2
Sports Council, National Lottery Distribution Fund 81w
Television licences, Fees and charges 227w
Television reception 82w
Treasure trove 452w

Brown, Mr Nicholas
Debates etc.
Economic policy (25.05.94) 364
Recess motions (25.05.94) 382–4
Questions
Business statements 335–6, 755

Browning, Mrs Angela
Questions
Nature conservation, EC law 239w
Nursing homes 623–4w
Tourist industry, Deregulation initiative 12–3

Bruce, Mr Ian
Questions
A35, Bypasses 519w
BBC, Privatisation 4
Foreign investment in UK, Northern Ireland 650w
Training and enterprise councils 167–8w
Unemployment 516

Bruce, Mr Malcolm
Debates etc.
GATT (14.06.94) 536, 553–60, 597

Building industry
Fire regulations 280w
Local government finance 48w
Manpower 48w

Building regulations
Heating 671w

Building Research Establishment
Performance standards 632–3w

Burden, Mr Richard
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 123
Questions
Deregulation Task Force 174w
Deregulation Task Force, Finance 174w
Deregulation Task Force, Public appointments 173–5w
India, Prisoners 188w
India, Torture 188w
Middle East, Peace negotiations 627–8

Burglary
Greater London 661–2w

Burns, Mr Simon
  Debates etc.
  Child Support Agency (26.05.94) 443
  Economic policy (25.05.94) 364
  Questions
  Arms to Iraq Inquiry 14
  Business questions 761
  Cheltenham and Gloucester Building Society, Takeovers 308w
  EC Finance Council 8–9w, 561w
  Grant maintained schools 509–10
  Hospital waiting lists, Scotland 331
  Office of Public Service and Science, Cash limits 565w
  Paymaster Agency, Performance standards 306–7w
  Rwanda, Armed conflict 617–8
  Science and technology research, Cash limits 565w
  Treasury, Cash limits 561–2w
  Wilton Park Executive Agency, Performance standards 224w

***Burt, Mr Alistair**, Parliamentary Under-Secretary of State, Dept of Social Security*
  Debates etc.
  Child Support Agency (26.05.94) 439, 444–8
  Questions
  Benefits Agency district offices, One stop shop initiative 104w
  Child Support Agency 247–8w
  Child Support Agency, Complaints 579–80w
  Child Support Agency, Executives 192w
  Child Support Agency, Hotels 103–4w
  Child Support Agency, Members' correspondence 681w
  Child Support Agency, Telephone services 248–9w
  Dept of Social Security, Computers in government departments 38w
  Income support 38–9w
  Income support, Part-time education 361w
  Income support, Social security benefits disqualification 361w
  Maintenance, Children 104w, 190–2w, 246–7w, 249w, 580–1w
  National Council for One Parent Families, Government grants 41w
  Social security benefits 362w, 367w
  Social security benefits, Exservicemen 106w
  Social Security Benefits Agency, Computers 581w, 583–4w
  Social security claims, Administrative delays 361w

Burundi
  Cholera 389–90w

Buses
  Road safety 515–6w, 638w
  Safety belts 135w, 515–6w

Business motions
  (26.05.94) 419, (17.06.94) 939

Business questions
  336–42, 756–65

Business statements
  335–6, 755

Butcher, Mr John
  Questions
  Administration of justice 751

Butler, Mr Peter
  Debates etc.
  Trade competitiveness (17.06.94) 870, 874–6, 878–9, 885, 887–8, 891
  Questions
  Cycling, Transport policy 669w
  Taxation 750

By election writs
  Monklands East (14.06.94) 499

By elections
  501w

Bye laws
  Alnwick District Council 100w

Byers, Mr Stephen
  Questions
  Day care of children 303w
  Dept for Education, Departmental circulars 490w
  Grant maintained schools 313w
  Grant Maintained Schools Foundation, Government grants 46w
  Pre-school education 312w
  School population 313–4w
  Swan Hunter Shipbuilders, Frigates 694–5w
  Thatcher, Margaret, Australia 289w
  Thatcher, Margaret, Malaysia 289w
  Training and enterprise councils, Civil servants' business appointments 665w
  VAT, School fees 360w

Bypasses
  A35 519w
  A41 524w

Cabinet
  Ministerial changes 752–3

Cabinet Office
  Cash limits 566w

Cable systems
  629–30w

Caborn, Mr Richard
  Debates etc.
  Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 (25.05.94) 396, 398, 402, 406
  Trade competitiveness (24.05.94) 190

CADW: Welsh Historic Monuments
  Performance standards 620w

Cairnshill School
  194–5w

Calderdale Borough Council
  Contracts for services 239–40w

Cameras
  Driving offences 101w

Campaign for Nuclear Disarmament
  Publications 231w

Campbell, Mrs Anne
  Questions
  Aid financed trade 17w
  Rwanda, Armed conflict 593w

Campbell, Mr Menzies
  Debates etc.
  Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 288–90
  Questions
  Air force strength 110w
  Armed forces civilians, Manpower 110w
  Army strength 564–5w
  European fighter aircraft 109w
  Military aircraft 110w
  Navy strength 565w
  Nuclear weapons, France 110w
  Sports, Government grants 98w

Campbell, Mr Ronnie
  Debates etc.
  Education (24.05.94) 204–5
  Questions
  Community care 168

Campbell-Savours, Mr D N
  Debates etc.
  Civil Rights (Disabled Persons) Bill (25.05.94) 347
  Civil Rights (Disabled Persons) Bill, House of Commons procedure (25.05.94) 366–9
  Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 35, 38–9
  Education (24.05.94) 198
  GATT (14.06.94) 525
  Handicapped, Civil rights (26.05.94) 487–8
  Trade competitiveness (24.05.94) 196

Campbell-Savours, Mr D N—continued
  Questions
  Business questions 338–9, 761
  China, Foreign policy 593w
  EC countries, Fraud 612
  ECOCON Ventures 74w, 324w
  Insolvency Service, Disclosure of information 323–4w
  Insolvency Service, Eastern Europe 323w
  Insolvency Service, Privatisation 74–5w, 324w
  Insolvency Service, Stoy Hayward 427w
  Parliamentary Counsel, Private Members' bills 230w
  Stoy Hayward, Official receiver 324w

Campsfield House Detention Centre
  Hunger strikes 693w

Canavan, Mr Dennis
  Questions
  Northern Ireland government 292w, 649w
  School catchment areas, Scotland 203w
  Sports facilities, Scotland 204w
  Students, Finance 475w

Cancer
  212–3w
  Death 31w, 387w
  Dental health 35w
  Health education 35–6w
  Hospital consultants 295w
  Medical research 212w
  Medical treatments 31–3w
  Northern Ireland 290–1w
  Scotland 456w
  Smoking 35w

Cannabis
  Inflammatory bowel disease 124w

Capital Allowances Act 1990
  Questions
  Science and technology research 354w

Capital gains tax
  354w

Caravan sites
  Gypsies 345w

Carbon dioxide
  Air pollution control 335–6w

Cardiff
  Road traffic control 133w

Care and repair initiative
  Wales 37w, 177w

Care of Cathedrals (Supplementary Provisions) Measure 1994
  Debates etc.
  (16.06.94) 853–60

Carers
  Incapacity benefit 584w

Carlile, Mr Alex
  Debates etc.
  Local Government (Wales) Bill (HL), Rep (15.06.94) 644–9, 665–6, 690, 700, 702–3, 709–11, 721
  Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 775, 778–80, 782, 805–7, 814–5, 817–9, 842–3
  Questions
  Agricultural Development and Advisory Service, Wales 234–5w
  Arable area payments scheme, Marginal land 698–9w
  Arable area payments scheme, Wales 699–700w
  Cereals, Agricultural subsidies 439w
  Electroconvulsive therapy, Children 589w
  Fire regulations 601w
  Fire services, Railway accidents 559w
  Fires, Death 559w
  Gibraltar, Economic situation 223w
  Gibraltar, European Parliament elections 223w
  Identification of criminals, Dogs 251w
  Import of live animals, Channel tunnel 309w
  Incapacity benefit, Carers 584w

Carlile, Mr Alex—continued
Land Authority for Wales, Public appointments 177–8w
Lost working days 288w
Marginal land, Wales 546–8w
One stop shop initiative, Wales 235w
Primary education, Teachers 618w
Prisoners, AIDS 270–1w
Road accidents, Tractors 563–4w
Road works, Expenditure 564w, 618w
Suicide, Rural areas 302w
Water abstraction, Liability 87–8w
Water charges 567w

Carlisle, Sir Kenneth
Questions
EC Environment Council 671–2w

Carmarthen and District NHS Trust
Surgery 654w

Carrington, Mr Matthew
Questions
Middle East, Peace negotiations 595w

Cars
NHS 215w
NHS trusts 462w
Scottish health boards 462w

Carttiss, Mr Michael
Debates etc.
A47, Road works (23.05.94) 159

Cash, Mr William
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 60–1
Questions
Uganda, Debts 18

Cash limits
Cabinet Office 566w
Dept for Education 586–7w
Dept of National Heritage 563–4w
Dept of the Environment 570–1w
Dept of Trade and Industry 599w
Dept of Transport 563w
Foreign and Commonwealth Office 596w
Home Office 558–9w
Northern Ireland Office 200w
Office of Public Service and Science 565w
Office of Telecommunications 599w
Science and technology research 565w
Scottish Office 607w
Treasury 561–2w
Welsh Office 619–20w

Castlereagh
Community policing 449w
Crime 196w
Police patrolling 196–7w
Public sector housing 196w

Cathedrals
Repairs and maintenance (16.06.94) 853–60

Cattle
EC internal trade 309w
Slaughterhouses 195–6w

Cattle diseases
EC action (16.06.94) 852

Cellular phones
Attorney General 170–2w
Dept of Social Security 40w
Dept of the Environment 84w
Foreign and Commonwealth Office 41–2w
Home Office 10w
Lord Chancellor's Dept 149w
Lord President of the Council 107w
Ministry of Agriculture Fisheries and Food 309w
Northern Ireland Office 194w
Prime Minister 1w
Scottish Office 206w

Central line
Power failures 518–9w

Centre for Policy Studies
13–6
Essex 13
Hereford and Worcester 15

Centre for Policy Studies—continued
Performance standards 15

Cereals
Agricultural subsidies 439w

Cetaceans
Nature conservation 429w

Chancellor of the Duchy of Lancaster
Civil servants' business appointments 565–6w
"Code of Practice on Access to Government Information" 432w
Departmental publications 434w
Management consultants 225w
Non-departmental public bodies 226–7w
Private Members' bills 227w

Chancellor of the Exchequer
see Treasury

Channel Five
4

Channel Four
Accounting 4

Channel Islands
Abortion 126–7w

Channel tunnel
Import of live animals 309w
Railway network 160w, (25.05.94) 356–9, 375–7, 639w

Channon, Rt Hon Paul
Debates etc.
London Tilbury & Southend line (25.05.94) 381

Chapelcross power station
208w

Charities
Government grants 652w
Wales 652w

Chartermark scheme
433w

Cheltenham and Gloucester Building Society
Takeovers 308w

Chemical weapons convention
403w, 427w

Chichester, Giles
674w

Chidgey, David
Members' oath and affirmation (14.06.94) 517

Chidgey, Mr David
Debates etc.
Members' oath and affirmation, Chidgey, David (14.06.94) 517

Child abuse
Scotland 458w, 604–6w

Child care
Lambeth 211w

Child safety
Health visitors 304w
Social workers 302w

Child Support Act 1991
Questions
Civil servants' political activities 363w

Child Support Agency
177, 247–8w, (25.05.94) 377–80, (26.05.94) 439–48
Complaints 579–80w
Executives 192w
Hotels 103–4w
Members' correspondence 681w
Telephone services 248–9w

Childbirth
Maternity services 303–4w
Prisoners 251–2w

Children
Crime victims 662w
Diabetes 373w
Electroconvulsive therapy 589w

Children—continued
Maintenance 104w, 190–2w, 246–7w, 249w, 580–1w
Road accidents 58–9w
Suicide 122w

Children Act 1987
Questions
302w

Children's rights
Adoption 302w

China
Foreign policy 593w, 625–6
Human rights 45w, 593w
Imports 77w
Overseas aid 389w
Wei, Jingsheng 400w

Chisholm, Mr Malcolm
Questions
Industrial investment, Scotland 330

Cholera
Burundi 389–90w

Chronically sick
216w

Church, Ms Judith
Debates etc.
Members' oath and affirmation (14.06.94) 517

Church Commissioners
Pensions 7–8w

Church of Scotland (Properties & Investments) Order Confirmation Bill 1993/94
Debates etc.
Royal Assent (26.05.94) 449

Churchill, Mr Winston
Questions
Organ donors, Transplant surgery 625w
Royal Naval College 219w, 230–1w
Royal Naval College, Foreign students 219–20w

Citizen's Charter
429–32w, 628w
Handicapped 224–5w
Sports 648w

Civil rights
Handicapped (26.05.94) 483–90

Civil Rights (Disabled Persons) Bill 1993/94
Debates etc.
(25.05.94) 346–9, 352–6, (26.05.94) 483–90
Amendments and new clauses (25.05.94) 342
House of Commons procedure (25.05.94) 366–9
Maitland, Olga (25.05.94) 342
Order for resuming adjourned consideration read (17.06.94) 938
Questions
179–80, 337, 341, 355w, 366w, 371w, 759–62
Compliance cost assessments 366w, 413w

Civil servants
Ministry of Defence 220w

Civil servants' business appointments
Attorney General 368w
Chancellor of the Duchy of Lancaster 565–6w
Dept for Education 489w
Dept of Employment 414w
Dept of Health 380w
Dept of National Heritage 646–7w
Dept of Social Security 364–5w
Dept of the Environment 343w
Dept of Trade and Industry 423w
Dept of Transport 525w
Foreign and Commonwealth Office 642w
Ministry of Agriculture Fisheries and Food 574w
Ministry of Defence 532w
Prime Minister 371–2w
Road construction 523w, 526w

INDEX—SESSION 1993–94

23rd May 1994–17th June 1994

Civil servants' business appointments—
continued
Scottish Office 472w
Training and enterprise councils 665w
Treasury 560w
Welsh Office 554w

Civil servants' political activities
Child Support Act 1991 363w
Dept of Social Security 362–3w

Civil service agencies
Performance standards 510w
Property Holdings 225–6w

Civil service manpower
180w
Overseas Development Administration 19w
Welsh Office 697–8w

Clapham, Mr Michael
Debates etc.
Trade competitiveness (24.05.94) 195
Questions
Industrial disablement benefits, Coal mining 105–6w
Industrial diseases, Pneumoconiosis 105w
Medical equipment, Lung diseases 105w
Rwanda, Armed conflict 593w
Rwanda, Arms trade 619

Clappison, Mr James
Questions
National Union of Rail Maritime and Transport Workers, Industrial disputes 749

Clark, Dr David
Questions
Armed forces casualties, Iraq 111w
Defence costs study 111w
HMS Endurance 110w

Clark, Dr Michael
Debates etc.
Trade competitiveness (24.05.94) 192

Clarke, Mr Eric
Questions
Forestry Review Group 325–6

***Clarke, Rt Hon Kenneth**, Chancellor of the Exchequer*
Questions
Crown Estate Commissioners, Royalties 349w
BC Finance Council 8–9w, 561w
Economic forecasting 627w

Clarke, Mr Tom
Debates etc.
Official Report, Points of order (23.05.94) 22–3
Questions
Coxsackie virus 373–4w
Coxsackie virus, Medical research 458w
Coxsackie virus, Scotland 459w
Coxsackie virus, Wales 615w
Thatcher, Margaret, Indonesia 102–3w
Thatcher, Margaret, Jordan 158w
Thatcher, Margaret, Ministers' visits abroad 103w
Thatcher, Margaret, Thailand 103w
Uganda, Overseas aid 17–8

Clifton-Brown, Mr Geoffrey
Debates etc.
Hypermarkets, Town & country planning (26.05.94) 462–3
Questions
Cross border cooperation in Ireland 292–3w
Rivers, Sites of special scientific interest 568w

Climate change convention
339–40w, 370–1w

Clinical psychologists
GP fundholders 300w

Clwyd, Mrs Ann
Debates etc.
Regulation of Cosmetic Surgery Bill, 1R (14.06.94) 518–20

Coal mining
Industrial disablement benefits 105–6w
Planning permission 154w, 335w

Coal Research Establishment
75w
Investment 317–8w

Coastal areas
Government grants 696w

Coastal protection
87w

"Code of Practice on Access to Government Information"
98w
Attorney General 327w
Chancellor of the Duchy of Lancaster 432w
Dept of Employment 407w
Dept of Health 299w
Dept of National Heritage 453w
Dept of Social Security 362w
Dept of the Environment 333–4w
Dept of Trade and Industry 421w
Dept of Transport 514–5w
Foreign and Commonwealth Office 399w
Home Office 280w
Lord Chancellor's Dept 621w
Ministry of Agriculture Fisheries and Food 439–40w
Ministry of Defence 528w
Northern Ireland Office 448w
Prime Minister 369w
Scottish Office 460w
Treasury 353w
Welsh Office 545w

Cohabitation
Immigration applications 163w

Cohen, Mr Harry
Questions
Army bases, Hazardous wastes 232w
Computer privacy 691w
Computer privacy, EC law 640w, 691–2w
Dept of Transport, Dismissal 56w
Foreign and Commonwealth Office, Arms control 402–3w
Guard service 536w
Hazardous wastes, USA 150–1w
Hong Kong, Criminal investigation 400–1w
Hong Kong Attorney General 398w
Mak, Foon Than Drax, Hong Kong 397–8w
Ministry of Defence police 535w
Ministry of Defence police, Manpower 535w
Nuclear submarines, Transport of radioactive materials 535w
Nuclear test ban 536w
Nuclear weapons 536w
Rwanda, Armed conflict 617–8
Tan, George, Hong Kong 398w

Cold weather payments
192w

Colvin, Mr Michael
Questions
Alcoholic drinks duties, Tax evasion 179w, 454w
Blue ear pig disease, Disease control 141w
Licensing laws, Northern Ireland 290w

Commission for the New Towns
(25.05.94) 380–2

Common agricultural policy
Developing countries 399w

Commons Registration (East Sussex) Bill (HL) 1993/94
Debates etc.
Rep* (16.06.94) 737

Commonwealth
South Africa 46w, 395w

Commonwealth Institute
394w
Scotland 394w

Commonwealth War Graves Commission
Finance 527w

Community care
165–6, 168–70, 296w, 298–9w
Fees and charges 624w
Homelessness 624w
Hospital discharges 36w
Housing associations 624w
Isle of Wight 166
Scotland 323
Tayside 320–1

Community policing
Castlereagh 449w

Compact discs
"Forbidden Knowledge" 279w

Companies
Freedom of establishment 255w
Northern Ireland 199w
Profits 626w

Company cars
Income tax 359–60w
Road accidents 55w

Company disclosure of information
Rain forests 117w

Company investigations
76–8w
Dunlop 172–3w
Euroseas Securities 77w

Company liquidations
Turing Institute 467–8w

Competition
76w

"Competition and Choice in the Gas Market consultation paper"
600w

"Competitiveness: Helping Business to Win White Paper"
(24.05.94) 183–96, 197–207, 422–3w, 603w, 629w
Costs 424w

Compliance cost assessments
Civil Rights (Disabled Persons) Bill 1993/94 366w, 413w

Compulsorily detained mental patients
123w

Compulsory purchase
M62 159–60w

Computer applications
Dept of Employment 167w

Computer privacy
691–2w
EC law 640w, 691–2w

Computers
Social Security Benefits Agency 581w, 583–4w

Computers in Government departments
Dept of Employment 167w
Dept of Social Security 38w

Computers in National Health Service
385w

Concessionary fares
Pensioners 55w

Concessionary television licences
Pensioners 79–80w

Conditions of employment
BBC 4
Glasgow Royal Infirmary NHS Trust 317
Pacific rim nations 168–70w

Congdon, Mr David
Questions
GP fundholders 173
Health services, Greater London 304–6w
Plugs and sockets, Harmonisation of standards 173w

Congenital abnormalities
121w
Research 296w

Connarty, Mr Michael
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 216, 225, 231, 250–2
Questions
Driving licences, Post offices 447–8w
Forth Valley Health Board 318
Health services, Scotland 205w
Motor vehicle registration, Northern Ireland 650w
Road tax, Northern Ireland 361w

Constitutions
Republic of Ireland 739

Construction costs
Housing 238w
Jubilee line 60w
Kingston upon Hull 238w

Construction materials
Road construction 158–9w

Consultants
Attorney General 48w, 170w, 368–70w
Dept for Education 46w, 480–4w
Dept of Employment 286w
Dept of Energy 428–9w
Dept of Health 298w
Dept of Social Security 39w
Dept of the Environment 97w, 332w
Dept of Trade and Industry 320–1w, 419w, 428–9w
Dept of Transport 512–4w
Driver and Vehicle Licensing Agency 520w
Foreign and Commonwealth Office 41w, 396w
Lord Chancellor's Dept 149w
Ministry of Agriculture Fisheries and Food 69w
Ministry of Defence 527–8w
National Environmental Technology Centre 172w
NHS trusts 384w
Northern Ireland Office 446w, 450–2w
Scottish Office 457w
Treasury 349–51w
United Kingdom Atomic Energy Authority 172w
Welsh Office 545w

Consumer protection
Secondhand cars 316w

Contraceptives
Prisoners 101–2w

Contracts
Road construction 60–8w

Contracts for services
Ballistic missile defence 528w
Calderdale Borough Council 239–40w
Council housing management (24.05.94) 307
Devonport dockyard 71w
Home Office 15–6w
Local government services 133w, 346–8w
NHS trusts 210w
Research and Planning Unit 16w
Rosyth dockyard 71w

Contracts of employment
Devonport dockyard 71w
Family doctors 170
NHS trusts 243–4w
Rosyth dockyard 71w

***Conway, Mr Derek**, An Assistant Whip*
Debates etc.
GATT (14.06.94) 557

Cook, Mr Frank
Questions
Local government reform, Local government elections 334w

Cook, Mr Robin
Debates etc.
Trade competitiveness (24.05.94) 187–8

Coombs, Mr Anthony
Debates etc.
Education (24.05.94) 206–7
Industrial disputes, Points of order (15.06.94) 629–50
Questions
Capital Allowances Act 1990, Science and technology research 354w
Football, Sportsgrounds 227–9w
Rwanda, Armed conflict 619

Coombs, Mr Simon
Questions
Argentina, Foreign policy 624–5
Buses, Safety belts 515w
History, Curriculum 472w
Orchestras, Greater London 7

***Cope, Rt Hon Sir John**,*
Paymaster-General
Questions
Alcoholic drinks duties 179w
Alcoholic drinks duties, Tax evasion 179w
Alcoholic drinks duties, Tax yields 306w
Excise duties, Public houses 356w
Hydrocarbon oil duties, Diesel fuel 306w
Paymaster Agency, Performance standards 306–7w
Private Members' bills, Treasury 306w
VAT, School fees 360w

Copyright Tribunal
315–6w

Corbett, Mr Robin
Questions
Iran, Terrorism 674w
Northern Ireland government 648w

Corbyn, Mr Jeremy
Debates etc.
GATT (14.06.94) 542, 549–50, 560, 563, 575–9, 581, 583, 595–6
Questions
Cuba, Sanctions 623
Exclusion orders, Northern Ireland 292w

Cormack, Mr Patrick
Debates etc.
Bosnia-Herzegovina, Armed conflict (25.05.94) 349–52
Questions
Business questions 337
Museums and galleries 80w

Corporation tax
354w
Post Office 351w

Corston, Ms Jean
Questions
British Aerospace, Space technology 316w
British Aerospace, Takeovers 231w
UN Convention on the Rights of the Child 378w, 692w

Couchman, Mr James
Questions
Fertility, Medical treatments 622w

Council house sales
Local government revenue 156w

Council housing
151w
Energy conservation 571w
Government grants to local authorities 85w
Harrogate Borough Council 237w
Heating 650w
Local government expenditure 84w
Northern Ireland 650w
Repairs and maintenance 85w
Scotland 206–7w

Council housing management
Contracts for services (24.05.94) 307

Council of Europe
597–9w
Italy 45w
Local government 96w

Council of Ministers
658w
Voting methods 179

Council tax capping
Sheffield City Council 88w

Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994
Debates etc.
(25.05.94) 390–409

Council tenants
Tenancy agreements 151–2w

Councillors' allowances
348w

Counselling
Schools 476–7w

Countryside Commission
Nature Conservancy Council for England 631w

County Hall
632w

Courts
Administrative costs 406w
Expenditure 329w
Wales 406w

Cousins, Mr Jim
Debates etc.
Devonport Dockyard, Points of order (17.06.94) 869
Trade competitiveness (17.06.94) 872, 874–5, 883–93, 898, 907–8, 933
Questions
Antifouling paint 517w
Arms trade, Belgium 530w
Arms trade, Export licensing 530–1w
Arms trade, Jordan 530w
Arms trade, Malaysia 531w
Consultants, Dept of Trade and Industry 320–1w
De Lorean, Treasury Solicitors Dept 327w
Export credit guarantees 601–2w
Export licensing 420w
Exports, Cyprus 426w
Exports, Jordan 419–20w
International Military Services 220w, 531w
International Military Services, Treasury Solicitors Dept 326w
NHS finance 372–3w
NHS trusts, Northern region 295w
Offshore funds, Government departments 326w
Personal income 353w
Royal Ordnance, Arms trade 531w
Surgery, Screening 297w
United Kingdom Atomic Energy Authority, Consultants 172w
Warren Spring Laboratory, Redundancy 419w

Cox, Mr Tom
Questions
Disabled workers, Unemployment 286–7w
Employment training, Greater London 411w
Foreign investment in UK, Greater London 602w
Hospital wards, Women 303w
Income support, Social security benefits disqualification 361w
Kurds, Turkey 397w
Life imprisonment 661w
Parliamentary constituencies, Greater London 279w
Police Responsibilities and Rewards Inquiry 165w
Prison population 660–1w
Prisoners' release, Sexual offences 100w
Social fund, Wandsworth 250w
South Africa, Know-how fund 140w
South Africa, Legislature 188–9w
Surgery, Heart diseases 621w
Taxation, Economic situation 560w

Coxsackie virus
373–4w
Medical research 458w
Scotland 458–9w
Wales 615w

Cran, Mr James
Debates etc.
Local government reform, Humberside (26.05.94) 491–4
Questions
Trident missiles, Testing 537w

Creutzfeldt-Jakob dementia
Blood donors 297w
Scotland 461–2w

Crime
Castlereagh 196w
Greater London 50–2w,
North Down 744
Northern Ireland 292w
Railway transport 50–2w

Crime prevention
515–6

Crime victims
Administration of justice 403w
Children 662w

Crimes of violence
Prison sentences 506w

Criminal appeals
Gilmour, Raymond 465–7w, 658w

Criminal injuries compensation
660w

Criminal investigation
Hong Kong 400–1w
Malaysia 400–1w

Criminal Justice and Public Order Bill 1993/94
Questions
166–7
Sentencing 272w
Young offenders 279w

Criminal Justice (Northern Ireland) Order 1994
Debates etc.
(16.06.94) 768–9

Cross border cooperation in Ireland
292–3w
Security 649–50w

Crosshouse Hospital
Design 659–60w
Repairs and maintenance 659w

Crown Agents
Security industry 393w

Crown Estate Commissioners
Royalties 349w

Crown Prosecution Service
47w, 661w

Crown prosecutors
Codes of practice 47w

Cuba
EC external relations 623
Government 622–3
Human rights 623
Overseas trade (26.05.94) 476–82
Sanctions 623
Security 622
USA 622

Cumbria
Radioactive waste disposal 361w

Cummings, Mr John
Questions
A19, Telephones 282w

Cunningham, Mr Jim
Questions
M25, Road works 134w
Prisoners, Handicapped 14–5w
Student grants 474w
Transport policy, Environment protection 161w
Whales, Nature conservation 69–70w
Whales, Norway 69w

Cunningham, Rt Hon Dr John
Questions
Italy, Government 615
Rwanda, Armed conflict 614

Curriculum
(23.05.94) 154
Ecology 486w
Ethnic minorities 487w
History 472w

***Curry, Mr David**, Minister of State, Dept of the Environment*
Debates etc.
Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 (25.05.94) 390–1, 407–9
Questions
Council tax capping, Sheffield City Council 88w
Flood control, Local government finance 236–7w
Inner city areas, Capital investment 88w
Local government finance, West Midlands 236w
Local government reform 86w
Local government reform, Costs 336–7w
Local government reform, Humberside 85–6w
Local government reform, Local government elections 334w
Local government reform, Transitional arrangements 337w
Local government revenue, Council house sales 156w
Planning permission, Out of town shopping centres 340w
PSA Building Management, Privatisation 344w
Standard spending assessments 236w, 568w
Travelling people, Bradford 241w

Custodial treatment
258–66w

"Cutting the Lifeline"
407w

Cycling
Road accidents 58w
Transport policy 669w

Cyprus
(26.05.94) 420–9
EC enlargement 404w, 639w
Exports 426w
International organisations 113w
Ministers' visits abroad 404w

Dafis, Mr Cynog
Questions
Business questions 765
Fire prevention 279w
Landslips, St Dogmaels 549w
National parks, Local authorities 336w
National parks, Scotland 463w
National parks, Wales 549–50w
Standing Advisory Committee on Trunk Road Assessment 283w

Dairy products
Diabetes 373w

Dalyell, Mr Tam
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 213, 215, 218, 223–4, 235, 247–8, 258
Lord Advocate, Points of order (16.06.94) 765
Oral question time point of order (25.05.94) 320
Parliamentary questions, Points of order (23.05.94) 24
Questions
Business questions 760
Curriculum, Ecology 486w
Eastern Europe, Insurance 371–2w
Fertility, Human embryo experiments 166–7
Henderson Island, Environment protection 112w
Higher education teachers, Recruitment 625w
Immigration applications 253w, 662w
Iraq, Human rights 631w
Iraq, Water supply 289w

Dalyell, Mr Tam—continued
Lockerbie, Bombings 319, 369w, 595w, 606–7w
Science education 587w

Dartmoor Steering Group
Public appointments 73w

Data banks
Genetic engineering 153w, 433w

Data Protection Act 1984
Questions
691w

Davidson, Mr Ian
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 245–7
Questions
China, Foreign policy 625–6
European fighter aircraft, Costs 72–3w
Helicopters, Defence procurement 72w

Davies, Mr Bryan
Questions
Higher education 500

Davies, Rt Hon Denzil
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 661–2

Davies, Mr Quentin
Questions
East West trade, Conferences 173w

Davies, Mr Ron
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 639–44, 666, 701–2, 718–20
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 809, 813–8, 836, 847–9
Questions
Care and repair initiative, Wales 37w
Energy conservation, Local government buildings 38w

***Davis, Mr David**, Parliamentary Under-Secretary of State, Office of Public Service & Science*
Questions
Chartermark scheme 433w
Citizen's Charter 429–32w, 628w
Citizen's Charter, Handicapped 224–5w
"Code of Practice on Access to Government Information" 98w
Management consultants, Chancellor of the Duchy of Lancaster 225w

Day care of children
303w
Health service staff 465w
Palace of Westminster 106w, 229w, 415w, 646w
Scotland 465w

D-Day landings
Festivals and special occasions 2w, 70w, 78w, 98w, 108w, 221–2w

De Lorean
Treasury Solicitor's Dept 327w

De Vries, Andrew
Homicide 512

Deaf
Mental health services 679w, 687–8w

Deafness
Air force 527w

Dearing Review
137–8w, 472w
Wales 133w

Death
Cancer 31w, 387w
Fires 559w
Health physics 128w
Industrial accidents 47w

Debt collection
(25.05.94) 375–7

Debts
  Developing countries 8w
  Uganda 18

Decorations for Gallantry (Display) Bill
    Debates etc.
  2R order read (17.06.94) 938

Defective housing
  Right to buy 343w

Defence contracts
  233w
  Airwork 233w

Defence costs study
  111w, 529w
  Treasury 529w

Defence equipment
  Woolwich Arsenal 221w

Defence expenditure
  Overseas aid 390w

Defence Export Services Organisation
  Malaysia 531w

Defence procurement
  Air force 222w
  Helicopters 72w

Dementia
  AIDS 683–4w
  Residential care 683w

Democracy
  Malawi 189w

Denham, Mr John
    Questions
  Pensioners, Social security benefits reductions 193w
  Special protection areas 149–50w
  Special protection areas, Portsmouth Harbour 150w

Dental health
  Cancer 35w

Dental services
  32w, 301–3w
  Codes of practice 685w
  Leeds 120–1w
  NHS 31–2w
  Northern Ireland 675w, 677w
  Private health services 685–6w
  Waiting lists 686w

Dentists
  NHS 685w
  Northern Ireland 676–7w
  Pay 676w, 685w

Departmental circulars
  Dept for Education 490w
  Sex education 486w
  Welsh Office 698w

Departmental coordination
  Fire prevention 601w, 692w

Departmental correspondence
  10w, 189w
  Doctors' list of patients 301w
  Preston, Peter 370w
  Welsh Development Agency 37w

Departmental publications
  Attorney General 368w
  Chancellor of the Duchy of Lancaster 434w
  Dept for Education 487w
  Dept of Employment 410w
  Dept of Health 378w
  Dept of National Heritage 647w
  Dept of Social Security 362w
  Dept of the Environment 341–2w
  Dept of Trade and Industry 427–8w
  Dept of Transport 524w
  Foreign and Commonwealth Office 403w
  Lord President of the Council 415w
  Ministry of Agriculture Fisheries and Food 572–3w
  Ministry of Defence 536–7w
  Northern Ireland Office 450w
  Scottish Office 467w
  Treasury 355w
  Welsh Office 551w

Departmental responsibilities
  Welsh Office 695w

Deportation
  253–4w
  Costs 693w
  Security industry 268w

Deprivation indicators
  Greater London 213w

Dept for Education
  Cash limits 586–7w
  Civil servants' business appointments 489w
  Consultants 46w, 480–4w
  Departmental circulars 490w
  Departmental publications 487w
  Orders and regulations 490w
  Private Members' bills 315w
  Publicity 500–2
  Security 585w

Dept of Employment
  Civil servants' business appointments 414w
  "Code of Practice on Access to Government Information" 407w
  Computer applications 167w
  Computers in Government departments 167w
  Consultants 286w
  Departmental publications 410w
  Private detectives 414–5w
  Psychometric testing 409–10w
  Repetitive strain injury 166–7w
  Security industry 414–5w

Dept of Energy
  Consultants 428–9w

Dept of Health
  Civil servants' business appointments 380w
  "Code of Practice on Access to Government Information" 299w
  Consultants 298w
  Departmental publications 378w
  Finance 380w
  Press releases 213w
  Private Members' bills 295w
  Repetitive strain injury 209w

Dept of National Heritage
  Cash limits 563–4w
  Civil servants' business appointments 646–7w
  "Code of Practice on Access to Government Information" 453w
  Departmental publications 647w
  Insurance 184w
  Private Members' bills 647w
  Repetitive strain injury 185w
  Security 670w

Dept of Social Security
  Cellular phones 40w
  Civil servants' business appointments 364–5w
  Civil servants' political activities 362–3w
  "Code of Practice on Access to Government Information" 362w
  Computers in Government departments 38w
  Consultants 39w
  Departmental publications 362w
  Private detectives 366–7w
  Private Members' bills 245w
  Public expenditure 682w
  Repetitive strain injury 192w
  Security industry 366–7w

Dept of the Environment
  Cash limits 570–1w
  Cellular phones 84w
  Civil servants' business appointments 343w
  "Code of Practice on Access to Government Information" 333–4w
  Consultants 97w, 332w
  Departmental publications 341–2w
  Private Members' bills 331w
  Repetitive strain injury 151w
  Security 632w
  Written questions 153w

Dept of Trade and Industry
  Cash limits 599w
  Civil servants' business appointments 423w
  "Code of Practice on Access to Government Information" 421w
  Consultants 320–1w, 419w, 428–9w
  Departmental publications 427–8w
  Private Members' bills 420w
  Repetitive strain injury 172w
  Security 669w

Dept of Trade inquiries
  114–6w

Dept of Transport
  Cash limits 563w
  Civil servants' business appointments 525w
  "Code of Practice on Access to Government Information" 514–5w
  Consultants 512–4w
  Departmental publications 524w
  Dismissal 56w
  Operating costs 513w, 524–5w
  Performance standards 510–1w
  Private detectives 509w
  Private Members' bills 509w
  Redundancy 526–7w
  Repetitive strain injury 57w
  Security industry 509w

Derbyshire County Council
  Grant maintained schools 505

Deregulation & Contracting Out Bill 1993/94
    Debates etc.
  Rep & 3R (23.05.94) 25–127

Deregulation initiative
  426w
  Tourist industry 12–3

Deregulation Task Force
  174w
  Finance 174w
  Public appointments 173–5w

Deserts
  Overseas aid 557w

Deva, Mr Nirj Joseph
    Debates etc.
  Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 59–60
  Trade competitiveness (24.05.94) 193, (17.06.94) 886
    Questions
  Insolvency 317w
  National Lottery 10

Developing countries
  Arms trade 318w
  Common agricultural policy 399w
  Debts 8w
  OECD Development Assistance Committee 391–2w

Development aid
  18w

Devlin, Mr Tim
    Debates etc.
  Trade competitiveness (24.05.94) 196
    Questions
  Japan, Foreign relations 593w

Devolution
  Referenda 566w

Devonport dockyard
  Contracts for services 71w
  Contracts of employment 71w
  Redundancy 71w
  Trident submarines 72w

Dewar, Mr Donald
    Debates etc.
  Child Support Agency (26.05.94) 447
    Questions
  Personal tax allowances, Tax yields 352–3w

Dewe Rogerson
  British Rail 283–4w

Diabetes
Children 373w
Dairy products 373w

Dickens, Mr Geoffrey
Debates etc.
Trade competitiveness (24.05.94) 190
Questions
NHS finance, North West region 2

Diesel fuel
Hydrocarbon oil duties 306w

Diesel vehicles
283w

Digital television
Broadcasting licences 98–9w

Diplomatic relations
Gaza Strip 44–5w

Diplomatic service
Badges 674w

Direct labour departments
Financial targets 345–6w

Direct taxation
Pensioners 357–8w

Director General of Gas Supply
see Office of Gas Supply

Director General of Telecommunications
see Office of Telecommunications

Director of Passenger Rail Franchising
see Office of Passenger Rail Franchising

Directorate of Telecommunications
Privatisation 558w

Disability living allowance
Mentally handicapped 367–8w
Mentally ill 367–8w

Disabled workers
Greater London 286–7w
Income tax 359–60w
Unemployment 286–7w

Disciplinary proceedings
Health service staff 379w
Hospital consultants 210w

Discrimination
Handicapped (25.05.94) 346–9, 352–6

Disease control
Blue ear pig disease 141w

Diseases
Inner London boroughs 32w

Dismissal
Dept of Transport 56w
Greater Glasgow Health Board 608w
Headteachers 131w

Disputes procedures
GATT 321–3w
World Trade Organisation 322–3w

Distilling industry
Scotland 180–1

District health authorities
Birth rate 29–30w
Executives 300w
Expenditure 294–5w, 305w
Mergers 36w
Tuberculosis 29–30w

Divorce
"Looking to the Future Consultation Paper" 665–6w

Dobson, Mr Frank
Questions
British Rail, Dewe Rogerson 283–4w
Buses, Road safety 515w
Office of Passenger Rail Franchising, Shandwick 283w
Railway fares, Families 137–8w
Safety belts, Minibuses 285w

Doctors
Psychiatry 679w, 686w
South Yorkshire 124w
Working hours 209w

Doctors' list of patients
Departmental correspondence 301w

Dogs
Identification of criminals 251w

Domestic energy conservation
237–8w
Gas tariffs 318w

Domestic service
Overseas workers 165w

Domestic violence
Trials 330w

"Domestic Violence and Occupation of the Family Home"
562w

Doncaster
Ministry of Defence 52–3w
Youth unemployment 49w

Donohoe, Mr Brian H
Questions
Breast cancer, Screening 658–9w
Chemical weapons convention 403w, 427w
Crosshouse Hospital, Design 659–60w
Crosshouse Hospital, Repairs and maintenance 659w
NHS, Complaints 606w
NHS trusts, Scotland 205w
Private detectives, Dept of Employment 414–5w
Private detectives, Dept of Social Security 366–7w
Private detectives, Dept of Transport 509w
Private detectives, Welsh Office 554–5w
Procurators fiscal 469–71w
Ravenspark Hospital, Hospital closures 611w
Scottish health boards, Scotland 606w
Social Security Benefits Agency, Computers 583–4w

***Dorrell, Mr Stephen**, Financial Secretary to the Treasury*
Questions
Capital Allowances Act 1990, Science and technology research 354w
Capital gains tax 354w
Civil service manpower 180w
Corporation tax 354w
Direct taxation, Pensioners 357–8w
Gangmasters, Lincolnshire 94–5w
Income tax 351w
Income tax, Disabled workers 359–60w
Inland Revenue, Wakefield 94w
PAYE 354w
Personal tax allowances, Tax yields 352–3w
Post Office, Corporation tax 351w
Schedule D income tax 351w
Tax allowances, Small businesses 356w
Tax rates and bands 180–2w
Tax thresholds, Pensioners 358–60w
Taxation 95w
Treasury, Cash limits 561–2w

***Douglas-Hamilton, Lord James**, Parliamentary Under-Secretary of State, Scottish Office*
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 239
Questions
A80, Road works 332
Access to countryside 326
Alcoholic drinks duties, Tax evasion 454w
Child abuse, Scotland 458w, 604–6w
Council housing, Scotland 206–7w
Drug abuse, Scotland 321–3
Drug crimes, Scotland 322
Dutch elm disease 329
European parliament elections 329
Ferries, Scotland 208w, 244w
Fine defaulters, Prison population 463–4w
Foreign students, Scotland 454–5w
Forestry Commission 325
Forestry Review Group 325–6
Gilmour, Raymond, Criminal appeals 465–7w, 658w

***Douglas-Hamilton, Lord James**—continued*
Homelessness, Scotland 319
Hooliganism, Public service vehicles 242w
Housing Association Tenants' Ombudsman for Scotland, Complaints 463w
Housing improvement, Scotland 207w
Legal education, Scotland 455w
Lockerbie, Bombings 606–7w
Miscarriages of justice, Scotland 468w
Population 334
Population, Scotland 332–4
Prison staff, Scotland 608–9w
Prisoners, Alcoholism 610–2w
Prisons, Suicide 22–30w
Procurators fiscal 469–71w
Rape, Trials 463–5w
Roads, Scotland 332
School catchment areas, Scotland 203w
Scottish Homes 318–9
Sheltered housing, Scotland 207w, 453–4w
Travelling people, Scotland 93w
Universities, Advertising 92w

Dowd, Mr Jim
Questions
AIDS, Government grants to local authorities 298w
Minist[illegible] Pay 107w
Social [illegible]rity benefits, Exservicemen 10[illegible]w

Dredging
Race bank 349w

Drift nets
France 143w

Drinking and Driving
Road accidents 58–9w

Driver and Vehicle Licensing Agency
Consultants 520w
Finance 520w
Performance standards 520w

Driving
Ambulances 202w

Driving licences
Northern Ireland 447–8w
Post offices 447–8w

Driving offences
Cameras 101w

Driving tests
510–1w, 634–8w
Road safety 518w

Drug abuse
99w, 124w, 168
Health education 655w
Prisoners 257–8w, 265w
Scotland 321–3

Drug crimes
Prisoners 252–3w
Scotland 322

Drug industry
Retail trade 211w

Duncan, Mr Alan
Debates etc.
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 814
Railway pension orders (23.05.94) 138
Questions
Rutland County 752

Duncan Smith, Mr Iain
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 54–7, 63
Questions
Centre for Policy Studies 15–6

Dunlop
Company investigations 172–3w

Dunn, Mr Bob
Debates etc.
Industrial disputes, Points of order (15.06.94) 629
Questions
Business questions 759
Channel tunnel, Railway network 639w

***Dunn, Mr Bob**—continued*
Dept of Transport, Cash limits 563w
EC Transport Council 633–4w
Labour Party, Educational policy 501
Railway transport, Waterloo Station 57w
Teachers, Kent 137w

Dunnachie, Mr Jimmy
Questions
Council housing, Scotland 206–7w
Drug industry, Retail trade 211w
Housing improvement, Scotland 207w
Indonesia, Hawk aircraft 222w
Local government services, Scotland 205w
NHS trusts, Contracts of employment 243–4w
Sheltered housing, Scotland 207w, 453–4w

Dunwoody, Mrs Gwyneth
Debates etc.
Industrial disputes, Points of order (15.06.94) 687
Railway pension orders (23.05.94) 128, 141–2
Questions
Consultants, Dept for Education 480–4w
Consultants, Dept of Employment 286w
Consultants, Dept of Health 298w
Consultants, Dept of the Environment 332w
Consultants, Dept of Trade and Industry 419w
Consultants, Dept of Transport 512–4w
Consultants, Foreign and Commonwealth Office 396w
Consultants, Ministry of Defence 527–8w
Consultants, Northern Ireland Office 446w, 450–2w
Consultants, Scottish Office 457w
Consultants, Treasury 349–51w
Consultants, Welsh Office 545w
Dept of Transport, Operating costs 513w, 524–5w
Dept of Transport, Performance standards 510–1w
Dept of Transport, Redundancy 526–7w
Driver and Vehicle Licensing Agency, Consultants 520w
Driver and Vehicle Licensing Agency, Finance 520w
Driver and Vehicle Licensing Agency, Performance standards 520w
Driving tests 634–8w
Highways Agency, Privatisation 524w
Minibuses, Licensing 668–9w
Motor vehicle registration, Disclosure of information 522w
Motor vehicle registration, Handicapped 522w
Motor vehicle registration, Retail trade 523w
Motor vehicle registration, Road tax 521–2w
Pregnant women, Industrial health and safety 511–2w
Road tax, Tax evasion 520–3w
Television licences, Fees and charges 227w
Vehicle Inspectorate, Expenditure 509w
Vehicle Inspectorate, Finance 510w

Dutch elm disease
329

Dykes, Mr Hugh
Debates etc.
House of Commons times of sittings (25.05.94) 354
Questions
European communities 178
Italy 624

Eagle, Ms Angela
Questions
Railtrack, Pay 752

Ealing Borough Council
Pre-school education 503

Early retirement
Myalgic encephalomyelitis 376w
Teachers 172w

East London
Railway transport 56w

East Sussex
Respite care 169

East West trade
Conferences 173w

Eastern Europe
EC external relations 623–4
Insolvency Service 323w
Insurance 371–2w
Overseas aid 393w

EC action
Cattle diseases (16.06.94) 852
Education (23.05.94) 154
Handicapped 381w
Italy 623–4
Milk (24.05.94) 307
Mobility of disabled 526w
Pig diseases (16.06.94) 852

EC Agriculture Council
443w

EC aid
Albania 394w
Food aid 392–3w
Palestinians 113–4w

EC budget
Fraud 592w, 611–2, (16.06.94) 852

EC Cons Doc 6214/94
(16.06.94) 852

EC Cons Doc 6428/94
(24.05.94) 307

EC countries
Ballot papers 100–1w
Fraud 612–3
Local government expenditure 157w
Local government functions 331w
Marginal land 673w
Politics and government 370w

EC Draft 4168/94
(16.06.94) 852

EC Draft 4715/94
(23.05.94) 154

EC Energy Council
422w

EC enlargement
Cyprus 404w, 639w

EC Environment Council
671–2w

EC external relations
Cuba 623
Eastern Europe 623–4
South Africa 6129

EC external trade
627

EC Finance Council
8–9w, 561w

EC Fisheries Council
441–2w

EC Foreign Affairs Council
186–8w

EC grants and loans
Merseyside 418w

EC immigration
492–4w

EC integration
Referenda 566w
Visegrad countries 593w

EC internal relations
45w, 619–20

EC internal trade
Cattle 309w

EC labour policy
514

EC law
288–9w, 597w, 643w
Computer privacy 640w, 691–2w
Food additives 672w

***EC law**—continued*
GATT 322w
Nature conservation 239w
Water pollution 340w
Water treatment 341w
Youth employment 167w, 285–6w

EC nationals
Right of abode 14w

EC presidency
Germany 592w

EC social policy
Handicapped 367w

EC Transport Council
633–4w

ECOCON Ventures
74w, 324w

Ecology
Curriculum 486w

Economic and monetary union
616

Economic forecasting
627w

Economic policy
(25.05.94) 361–6

Economic situation
Gibraltar 223w
Scotland 201w, 205w
Taxation 560w

Education
EC action (23.05.94) 154
Ministerial statements (24.05.94) 197–207
Private investment 475w
Rotherham 507

Education (National Curriculum) (Foundation Subjects at Key Stage 4) Order 1994
Debates etc.
(23.05.94) 154

Educational assessment
477w

Educational finance
Hereford and Worcester County Council 502

Educational policy
Labour Party 501

Educational psychology
Manpower 138w, 480w

***Eggar, Mr Tim**, Minister for Energy*
Questions
British Coal Corporation, Privatisation 424–5w, 670w
British Gas, Privatisation 425w
Civil servants' business appointments, Dept of Trade and Industry 423w
Coal Research Establishment 75w
"Code of Practice on Access to Government Information", Dept of Trade and Industry 421w
"Competition and Choice in the Gas Market Consultation Paper" 600w
Energy policy 599–600w
National Environmental Technology Centre 75w
Office of Gas Supply, Manpower 600w
Petroleum exploration 416–7w
Petroleum exploration licences, Irish Sea 417–8w
Public utilities 427w
Public utilities, Handicapped 427w
Security, Dept of Trade and Industry 669w
THORP, Nuclear accidents 602w
THORP, Nuclear fuel reprocessing 428w
United Kingdom Atomic Energy Authority, Decommissioning 670w
United Kingdom Atomic Energy Authority, Radioactive waste disposal 76w

Egypt
Wena Hotels 288w

Election administration
Ballot papers 256w

Elections
Malawi 189w

Electroconvulsive therapy
Children 589w

Electronic mail
Government departments 97w

Elletson, Mr Harold
Questions
Gulf States, Foreign relations 594w
Palestinians, Overseas aid 113–4w

Embassies
402w
Costs 402w
Immigration 402w

Emergency calls
Ambulance services 653w

Emergency powers
Northern Ireland (24.05.94) 263–307

Emphysema
Industrial injuries scheme 245–6w, 364w
Prescribed industrial diseases 127w

Employment
Aerospace industry 287w
Married women 409w
Men 408–9w
Scotland 201w
Wales 130–1w

Employment discrimination
Royal Ulster Constabulary 200–1w

Employment opportunities
Foreign investment in UK 294w
House renovation grants 332–3w
Jubilee line 523w, 638w
Southwark 409w

Employment protection
Local government reform 207w

Employment schemes
Disclosure of information 411–2w
European Social Fund 414w
Greater London 410w

Employment training
Greater London 411w

Empty housing
Armed forces housing 71w

Energy conservation
Council housing 571w
Local government buildings 38w
Wales 38w

"Energy Efficiency in Council Housing"
571w

Energy policy
599–600w

Energy prices
Standing charges 600–1w
VAT 177–8, 512–3

"Energy Report 1"
599–600w

"Energy Report 2"
599–600w

Engineering industries
418w

English Channel
Military exercises 161w

English education
472–3w

English Nature
see Nature Conservancy Council for England

Enright, Mr Derek
Debates etc.
GATT (14.06.94) 577, 579–81, 587, 599
Questions
Anglo-Irish talks 744–5
Arts sponsorship 5
Dept for Education, Publicity 500–1
Japan, Foreign investment in UK 621
Pedestrians, Road accidents 135–6w

Entry clearances
Yemen 165w

Environment protection
Disclosure of information 631w
Grazing land 443–4w, 572w
Henderson Island 112w
Hill livestock allowances 572w
Industry 95w
Ministerial duties 152w
Petroleum exploration 417w
Trade competitiveness 422–3w
Transport policy 161w
Wales 652–3w

Environmental action fund
333w

Environmental impact assessment
Forestry 21w
M25 134w

Environmental Research
Research finance 567w

Environmentally sensitive areas
Government grants 308w
Scotland 22w

Epsom Health Care NHS Trust
Pay 383w

Equal opportunities
Handicapped 289w
Health services 34–5w
Judiciary 6w
Widowers' benefits 39w

Eritrea
Food aid 391w

Essex
Centre for Policy Studies 13
Technology colleges 486–7w

Etherington, Mr Bill
Questions
Competition 76w
Fertility, Medical treatments 622w
Mobility of disabled, Road tax 526w
Pallion Engineering, Shipbuilding 316w
Secondhand cars, Consumer protection 316w
Van Miert, Karel 114w

Ethiopia
Food aid 391w

Ethnic groups
Prisoners 272w

Ethnic minorities
Adoption 34w
Barristers 330w
Curriculum 487w
Family doctors 377w
Home Office 496–502w
NHS 377w
Nurses 30w

"Ethnic Minority Staff in the NHS"
377w

EURATOM
USA 319w

Europe
Security 594w

European Commission
615, 753–4

European communities
177–8, 591w
Fascism 289w

European Convention on Human Rights
369w

European Development Fund
19–20

European Economic Area
Immigrants' dependants 10w

European fighter aircraft
108–9w
Costs 72–3w

European parliament elections
329, 619–20, 750–1
Gibraltar 223w

European parliament members
Fascism 112w

European Social Fund
Employment schemes 414w
Voluntary organisations 166w

Euroseas Securities
Company investigations 77w

Evans, Mr David
Questions
BBC, Privatisation 3

Evans, Mr John
Debates etc.
Education (24.05.94) 204

Evans, Mr Jonathan
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 638, 643–4, 690, 692–3, 695–6, 706–9
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 807–11, 813, 816
Questions
Diesel vehicles 283w
EC law 597w
Hydrocarbon oil duties, Diesel fuel 306w
Rural transport innovation grant scheme, Wales 550w

Evans, Mr Nigel
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 65–6
Questions
Council of Europe 597–9w
Crime, Northern Ireland 292w
Exhaust emissions, Air pollution 89–90w
Ministry of Agriculture Fisheries and Food, Ministers' visits abroad 673w
Student numbers 508
Tourism 8–9

Evans, Mr Roger
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 637, 645, 663, 675
Questions
Women clergy, Compensation 7w

Evennett, Mr David
Questions
EC budget, Fraud 611–2
Serious Fraud Office, Annual reports 170w
Teacher training, Schools 510

Ewing, Mrs Margaret
Questions
Business questions 759
Community care, Scotland 323

Exchange rates
354w
Exports 627w

Excise duties
Public houses 356w

Exclusion orders
Northern Ireland 292w

Executives
Child Support Agency 192w
District health authorities 300w
Family health services authorities 300w
Health authorities 378w
NHS trusts 175
Training and enterprise councils 639w

Exercise First Crusade
108w, 531w

Exhaust emissions
Air pollution 89–90w
Health hazards 120w

Exhibitions
Security industry 421w

Export credit guarantees
601–2w

Export licensing
420w
Arms trade 530–1w
Fences 421w

Export of live animals
436–9w
Horses 648w

Exports
Cyprus 426w
Exchange rates 627w
Jordan 419–20w
South Africa 616
System X exchanges 422w

Exservicemen
Nuclear weapons tests 231w
Social security benefits 106w

External financing limits
Post Office 351w

Eye disorders
Nuclear weapons tests 107w
Surgery 623w, 695w

Eye tests
303w, 589–90w

Fabricant, Mr Michael
Questions
Broadcast journalism, Northern Ireland 293w
Broadcasting, Northern Ireland 738
Civil service manpower 180w
"Domestic Violence and Occupation of the Family Home" 562w
Legal Services Ombudsman, Annual reports 562w
Student loans, Student numbers 499
UN Convention on Biological Diversity 569w

Facsimile transmission
Special aids to employment scheme 48–9w

Fair Employment (Northern Ireland) Act 1989
Questions
200–1w, 293w

Fairbairn, Sir Nicholas
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 227
Questions
Business questions 340
Population 334

Falkland Islands
Prosecutions 513–4

Families
Railway fares 137–8w

Family doctors
Contracts of employment 170
Ethnic minorities 377w
Home visits 170–1, 376w, 605–6w
Recruitment 623w
Scotland 605–6w
Stress related illnesses 623w

Family health services authorities
Executives 300w
Expenditure 305w, 373w
Patient's Charter 300w

Family planning
Northern Ireland 292w

Family practitioner services
Nottinghamshire Family Health Services Authority 297w

Farm & Conservation Grant (Variation) Scheme 1994
Debates etc.
(24.05.94) 208

Farms
Shops 240–1w

Fascism
European communities 289w
European parliament members 112w
Italy 624

Fatchett, Mr Derek
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 26–9, 39–40, 70–2, 101–3, 114, 120–2

Fatchett, Mr Derek—continued
GATT (14.06.94) 536
Questions
Deregulation Task Force, Public appointments 173–4w
PSA Building Management, Privatisation 344w
Regional selective assistance 118w

Faulds, Mr Andrew
Questions
Business questions 339–40

Federation of Street Traders' Union (London Local Authorities Act 1990) (Amendment) Bill 1993/94
Debates etc.
2R order read (16.06.94) 737

Fences
Export licensing 421w

Fennell Committee
see King's Cross Fire Inquiry

Ferries
Morocco 55w, 516w
Scotland 208w, 244w
Spain 55w, 516w

Fertility
Human embryo experiments 166–7
Medical treatments 622–3w
Sunderland Health Authority 622w
Waiting lists 123w
West Kent Health Authority 622w
West Midlands Regional Health Authority 622–3w

Festivals and special occasions
D-Day landings 2w, 70w, 78w, 98w, 108w, 221–2w
King's Troop Royal Horse Artillery 218w
World War II 2w

Field, Mr Barry
Questions
Community care, Isle of Wight 166
Royal yacht 534–5w
Technology foresight programme, Seas and oceans 434w
Tourism 79w
UN Convention on the Law of the Sea 401–2w

Field, Mr Frank
Questions
Church Commissioners, Pensions 7–8w
Council housing, Government grants to local authorities 85w
Council housing, Local government expenditure 84w
Housing Corporation, Finance 83–4w

Film industry
6

Financial services
Self-regulating organisations (14.06.94) 602–10

Financial targets
Direct labour departments 345–6w

Fine defaulters
Prison population 267–8w, 463–4w
Scotland 463–4w

Fine Defaulters (Restriction of Power to Imprison) Bill 1993/94
Debates etc.
1R (24.05.94) 207

Fines
Life Assurance and Unit Trust Regulatory Organisation 353w

Fire prevention
279w, 407w, 427w
Departmental coordination 601w, 692w
Safety measures 630w
Tobacco 318w

Fire regulations
601w
Building industry 280w

Fire services
Air accidents 559w

Fire services—continued
Railway accidents 559w

Fires
Death 559w

Fish conservation
182w

Fisher, Mr Mark
Questions
Arts Council 6

Fishing
River Tay 206w

Fishing gear
142–3w

Fishing limits
Spain 182w

Fishing vessels
Decommissioning 573–5w
Military exercises 233–4w

Fishing Vessels (Decommissioning) Scheme 1994
Questions
573–5w

Flood control
Local government finance 236–7w

Fluoridation
Welsh Water 655w

Flynn, Mr Paul
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 681–2
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 802–3
Personal pensions (17.06.94) 940–4
Trade competitiveness (17.06.94) 913
Questions
Baltic states, Know-how Fund 17w
Beaches, Water pollution 88–9w
China, Human rights 45w
Company cars, Road accidents 55w
Cycling, Road accidents 58w
Drinking and Driving, Road accidents 58–9w
Driving offences, Cameras 101w
Drug abuse 99w, 124w
Headteachers, Dismissal 131w
Health hazards, Exhaust emissions 120w
Imports, China 77w
Inflammatory bowel disease, Cannabis 124w
Insolvency Service 75w
Myalgic encephalomyelitis, Conferences 213w
Occupational pensions 751
Patent Office 115w
Road construction, Weston Super Mare 136w
Severn bridge, Lorries 129–30w
Tourism, Beaches 82w

Food
Armed forces 621w

Food additives
EC law 672w

Food aid
EC aid 392–3w
Eritrea 391w
Ethiopia 391w
Rwanda 389w

Food labelling
Allergies 182w
Slaughterhouses 440w

Football
Sportsgrounds 227–9w

"Forbidden Knowledge"
Compact discs 279w

Foreign and Commonwealth Office
Arms control 402–3w
Cash limits 596w
Cellular phones 41–2w
Civil servants' business appointments 642w

Foreign and Commonwealth Office—continued
"Code of Practice on Access to Government Information" 399w
Consultants 41w, 396w
Departmental publications 403w
Private Members' bills 395w
Repetitive strain injury 112w
Security 643w

Foreign investment in UK
621
Employment opportunities 294w
Greater London 602w
Japan 620–1
Northern Ireland 294w, 650w
Scotland 329–30

Foreign patients
303w

Foreign policy
Argentina 624–5
Bosnia-Herzegovina 622
China 593w, 625–6
Italy 614
Mauritius 625
South Africa 616

Foreign relations
Angola 595w
Gulf States 594w
Indonesia 594w
Italy 45–6w
Japan 593w
Palestinians 595w
Philippines 595w
Ukraine 591w

Foreign students
171–2w
Royal Naval College 219–20w
Scotland 454–5w

Forestry
Environmental impact assessment 21w
Scotland 21w

Forestry Commission
325
Privatisation 204w

Forestry Review Group
325–6

Forests
Land acquisition 537–8w
Wales 537–8w

Forman, Mr Nigel
Debates etc.
Education (24.05.94) 203
Questions
Anglo-Irish talks 745
EC internal relations 620
GP fundholders, Private health services 172
Student grants 509

***Forsyth, Mr Michael**, Minister of State for Employment*
Questions
Availability for work 578w
Bronchitis, Prescribed industrial diseases 127w
Building industry, Local government finance 48w
Civil Rights (Disabled Persons) Bill 1993/94, Compliance cost assessments 413w
Civil servants' business appointments, Dept of Employment 414w
"Code of Practice on Access to Government Information", Dept of Employment 407w
Conditions of employment, Pacific rim nations 168–70w
Consultants, Attorney General 48w
Consultants, Dept of Employment 286w
Departmental publications, Dept of Employment 410w
Dept of Employment, Computer applications 167w
Dept of Employment, Computers in Government departments 167w

Forsyth, Mr Michael—continued
Dept of Employment, Psychometric testing 409–10w
Employment opportunities, Southwark 409w
European Social Fund, Employment schemes 414w
European Social Fund, Voluntary organisations 166w
Fire prevention 407w
Health and Safety Executive 49w
Health physics, Death 128w
Incapacity benefit, Multiple sclerosis 49–50w
Industrial accidents, Death 47w
Industrial health and safety, Orders and regulations 413w
Lost working days 288w
Mine safety 579w
Mutual recognition of qualifications, Free movement of labour 166w
Private detectives, Dept of Employment 414–5w
Repetitive strain injury, Dept of Employment 166–7w
Special aids to employment scheme, Facsimile transmission 48–9w
Unemployment, Greater London 413–4w
Youth employment, EC law 167w, 285–6w

Forsythe, Mr Clifford
Questions
Council housing, Heating 650w
Sea transport, Northern Ireland 747

***Forth, Mr Eric**, Parliamentary Under-Secretary of State for Education*
Questions
Civil servants' business appointments, Dept for Education 489w
Consultants, Dept for Education 46w, 480–4w
Departmental publications, Dept for Education 487w
Dept for Education, Departmental circulars 490w
Education, Rotherham 507
Educational psychology, Manpower 138w, 480w
Further education, Finance 508
Grant maintained schools, Special education 504
Handicapped pupils, Schools 488w
Personal and social education 475w
Private Members' bills, Dept for Education 315w
Pupil exclusions 585–6w
School administration 311–2w
School admission, Secondary education 474w
School transport, Safety belts 487w
Schools, Counselling 476–7w
Security, Dept for Education 585w
Sex education, Departmental circulars 486w
Special education, Codes of practice 471w
Truancy 474w

Forth Valley
Armed forces 529–30w

Forth Valley Health Board
318

Forth Valley Healthcare NHS Trust
Royal Scottish National Hospital and Community NHS Trust 20–2w

Foster, Mr Don
Debates etc.
Trade competitiveness (24.05.94) 189
Questions
Grant maintained schools 313–5w
Grant maintained schools, Primary education 312–3w
Grant maintained schools, Publicity 478w, 501
Grant maintained schools, Voting methods 478–9w
School administration 311–2w

Foulkes, Mr George
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (23.05.94) 24
Questions
Adult education, Hereford and Worcester 502
Geriatric patients, Scotland 201w
Hospital beds, Geriatric patients 119–20w
Sea transport, Northern Ireland 746–7
South Ayrshire Hospitals NHS Trust 331–2
Treaty on European Union 616

Fox, Dr Liam
Questions
BBC 81w
Grant maintained schools, Special education 504

France
Drift nets 143w
Nuclear weapons 110w

Franchising
Legal aid scheme 330w, 406w, 666w

Fraser, Mr John
Questions
Child care, Lambeth 211w
Deportation 253–4w
Insolvency Service 75w

Fraud
EC budget 592w, 611–2, (16.06.94) 852
EC countries 612–3

Free movement of labour
Mutual recognition of qualifications 166w

Freedom of establishment
Companies 255w

***Freeman, Rt Hon Roger**, Minister of State for Transport*
Debates etc.
Railway pension orders (23.05.94) 128–34, 150–1
Questions
British Rail, Dewe Rogerson 283–4w
British Rail, Season tickets 517w
Channel tunnel, Railway network 160w, 639w
Concessionary fares, Pensioners 55w
Freight transport 135w, 515w
Mobility of disabled, EC action 526w
Office of Passenger Rail Franchising, Shandwick 283w
Railway fares, Families 137–8w
Railway freight transport 282w
Railway network, Noise control 133w
Railway timetables, Season tickets 517w
Railway track, Liability 56–7w
Railway transport, Crime 50–2w
Railway transport, Waterloo Station 57w
Railway workers, Occupational pensions 516w
Railway workers, Violence 525w
Trans-European networks, Railway network 284–5w
West Coast railway line 160–1w

Freight transport
135w, 515w

French, Mr Douglas
Questions
Necrotising fasciitis 171

Frigates
Swan Hunter Shipbuilders 694–5w

Fringe benefits
Armed forces officers 534w

Further education
Finance 508
Making Belfast work programme 588w

Further education colleges
GCE A level 475–6w
Lancashire 586w

Fyfe, Mrs Maria
Questions
Accident and emergency departments, Scotland 206w
Air force, Deafness 527w
Ambulance services 119w
Ambulances, Driving 202w
Community care, Tayside 321
Family doctors, Home visits 605–6w
Glasgow Royal Infirmary, Hospital beds 605w
Health Care International 657w
Health service staff, Day care of children 465w
Insolvency 316–7w
Operating theatres, Scotland 459w
Scottish Ambulance Service, NHS trusts 456–7w
Social security payments 40–1w
Speech therapy, Scotland 459w
Surgery, Hospital consultants 460w
Trauma centres, Scotland 461w
Western General Hospital NHS Trust, Sex change operations 455–6w

Galbraith, Mr Sam
Questions
Nuclear weapons tests, Eye disorders 107w
Universities, Advertising 92w

Gallie, Mr Phil
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 221, 228, 238, 240–3, 254
Questions
Drug crimes, Scotland 322
Greater Glasgow Health Board, Dismissal 608w
NHS internal market, Northern Ireland 747
Strathclyde Regional Council, Railway network 608w

Galloway, Mr George
Questions
Business questions 758–9
European parliament elections 329
Italy, Fascism 624

Gangmasters
Lincolnshire 94–5w

Gapes, Mr Mike
Questions
Business questions 341–2
Council housing 151w
Europe, Security 594w
Hong Kong, Human rights 626
Overseas aid, Human rights 17
Palace of Westminster, Day care of children 646w
Primary education, Redbridge 474w
Science Museum 185w

Garel-Jones, Rt Hon Tristan
Debates etc.
Trade competitiveness (17.06.94) 922

Garnier, Mr Edward
Questions
Farms, Shops 240–1w

Garrett, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 63–4, 76–8, 84

Gas tariffs
Domestic energy conservation 318w

GATT
(14.06.94) 521–601
Disputes procedures 321–3w
EC law 322w
Hazardous wastes 317w
UK contributions 323w

Gatwick Airport
Air traffic 523–4w

Gaza Strip
Diplomatic relations 44–5w

Gazumping
149w

GCE A level
Further education colleges 475–6w

General Agreement on Tariffs and Trade
see GATT

General cetificate of secondary education
473w
Wales 132–3w

Genetic engineering
Data banks 153w, 433w

Genetics
Research 296w

Geriatric patients
Hospital beds 119–20w
Royal Free NHS Trust 121w
Scotland 201w

Germany
EC presidency 592w

Gerrard, Mr Neil
Questions
Nature Conservancy Council for England, Countryside Commission 631w

Gibraltar
Economic situation 223w
European parliament elections 223w

Gill, Mr Christopher
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 64–8
Questions
EC Agriculture Council 443w
EC Fisheries Council 441–2w
Fishing limits, Spain 182w
Intergovernmental Conference 594w

Gillan, Mrs Cheryl
Debates etc.
O'Byrne/Patrick (14.06.94) 602–5, 608
Trade competitiveness (17.06.94) 873, 886
Questions
Teaching company scheme 175–6w

Gilmour, Raymond
Criminal appeals 465–7w, 658w

Glasgow Royal Infirmary
Hospital beds 605w

Glasgow Royal Infirmary NHS Trust
Conditions of employment 317

Gloucester Prison
Young offenders 492w

Gloucestershire Constabulary
Royal residences 281w

Godman, Dr Norman A
Questions
Bill of Rights, Northern Ireland 294w
Fine defaulters, Prison population 463–4w
Housing Association Tenants' Ombudsman for Scotland, Complaints 463w
Lockerbie, Bombings 320
NHS trusts, Scotland 463w
Prison staff, Scotland 608–9w
Prisoners, Alcoholism 610–2w
Scottish Ambulance Service, NHS trusts 202w
Scottish health boards, Cars 462w
Travelling people, Scotland 93w

Golding, Mrs Llin
Questions
Sports, Women 7–8

Goodall, Paul
Bosnia-Herzegovina 217–8w
Homicide 217–8w, 611

***Goodlad, Rt Hon Alastair**, Minister of State, Foreign & Commonwealth Office*
Questions
Cellular phones, Foreign and Commonwealth Office 41–2w
China, Foreign policy 593w, 625–6
China, Human rights 45w, 593w
Civil servants' business appointments, Foreign and Commonwealth Office 642w

***Goodlad, Rt Hon Alastair**—continued*
Consultants, Foreign and Commonwealth Office 41w, 396w
Cyprus, EC enlargement 404w
Cyprus, Ministers' visits abroad 404w
Diplomatic service, Badges 674w
EC external trade 627
Embassies, Costs 402w
Foreign and Commonwealth Office, Cash limits 596w
Foreign investment in UK 621
Henderson Island, Environment protection 112w
Hong Kong, Criminal investigation 400–1w
Hong Kong, Human rights 626
Hong Kong Attorney General 398w
Indonesia, Foreign relations 594w
Indonesia, Hawk aircraft 222w
Japan, Foreign investment in UK 620–1
Japan, Foreign relations 593w
Kurds, Turkey 397w
Mak, Foon Than Drax, Hong Kong 397–8w
North Korea, Nuclear weapons 626
Overseas investment 596w
Philippines, Foreign relations 595w
Repetitive strain injury, Foreign and Commonwealth Office 112w
Security, Foreign and Commonwealth Office 643w
Sugiasti, Titi, Indonesia 400w
Tan, George, Hong Kong 398w
Wei, Jingsheng, China 400w

Goods vehicles
(23.05.94) 25–127

Goodson-Wickes, Dr Charles
Questions
Family doctors, Home visits 376w
United Nations, International assistance 17–8w

Gordon, Ms Mildred
Questions
Jubilee line, Employment opportunities 523w, 638w
Medical research, Expenditure 208–9w

Gorman, Mrs Teresa
Questions
Family planning, Northern Ireland 292w
Public expenditure, Scotland 324
School administration 139w
School administration, Research 139–40w

Government
Cuba 622–3
Italy 46w, 614–5, 622–3

Government departments
Electronic mail 97w
Kock, Stephan 102w
Offshore funds 326w

Government grants to local authorities
AIDS 298w
Council housing 85w
Wales 538–46w

Government grants to voluntary organisations
Wales 615–7w

Government information services
Home Office 16w

Government securities
355w, 560w

GP fundholders
173, 175–6, 214w
Clinical psychologists 300w
Greater London 34w
Patient's Charter 300w
Performance standards 37w
Private health services 172–3
Wales 653w

Graduates
476w

Graham, Mr Thomas
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 248–50
Questions
Hospital waiting lists, Scotland 330–1

Grampian
Hospital closures 323

Grant, Sir Anthony
Debates etc.
Trade competitiveness (24.05.94) 194
Questions
Business questions 758
North Korea, Nuclear weapons 626

Grant maintained schools
313–5w, 505–7, 509–10
Derbyshire County Council 505
Kent County Council 506
Primary education 312–3w
Publicity 478w, 501
Research 139–40w
Schools and parents 509
Sixth form education 511
Special education 504
Voting methods 478–9w, 506, 509

Grant Maintained Schools Centre
477–8w

Grant Maintained Schools Foundation
477–8w
Government grants 46w

Grazing land
Environment protection 443–4w, 572w

Greater Glasgow Health Board
Dismissal 608w

Greater London
Burglary 661–2w
Crime 50–2w
Deprivation indicators 213w
Disabled workers 286–7w
Employment schemes 410w
Employment training 411w
Foreign investment in UK 602w
GP fundholders 34w
Health service staff 36w
Health services 125–6w, 304–6w
Hospitals 35w, 215w
Orchestras 7
Paediatrics 214w
Parliamentary constituencies 279w
Railway stations 57w
Sleeping rough 585w, 626w, 632w, 643w, 669–70w, 675w, 695w
Surgery 621w
Unemployment 410w, 413–4w
Youth training 411w

Greater Manchester (Light Rapid Transit System) Bill (HL) 1990/91
Debates etc.
Royal Assent (26.05.94) 449

Greece
Macedonia 622

Greenbelt
West Midlands 631–2w

Greenway, Mr Harry
Questions
Business questions 339, 762
Community care 165–6
Conditions of employment, Pacific rim nations 168–70w
Council tax capping, Sheffield City Council 88w
Educational assessment 477w
Horses, Export of live animals 648w
Mauritius, Foreign policy 625
Official engagements 103w, 288w, 370w, 631w
Overseas Development Administration, Civil service manpower 19w
Population, Scotland 332–3
Pre-school education, Ealing Borough Council 503
RAF Northolt, Air transport 519w
Sports 81w
Sports, Young people 2–3

Greenway, Mr John
Questions
Dept of the Environment, Cash limits 570–1w
General certificate of secondary education 473w

Griffiths, Mr Nigel
Questions
Local government reform, Scotland 203w

Griffiths, Mr Peter
Questions
Wheelchairs 210w

Griffiths, Mr Win
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 650–1, 657–60, 664
Questions
European communities 591w
Grant maintained schools, Special education 504
Health service staff, Wales 167
Ministers' domestic visits, Ogwr 554w
Research finance 116w
Research finance, Industrial research 116–7w
Research finance, Small businesses 117w
Training and enterprise councils, Wales 128w

Grocott, Mr Bruce
Debates etc.
Hereditary Peers (Democratice Rights) Bill, 1R (15.06.94) 631–3
Industrial disputes, Points of order (15.06.94) 629
Questions
Angola, Foreign relations 595w
Business questions 340
"Competitiveness: Helping Business to Win White Paper", Costs 424w

Group 4 Securitas
Prisoner escorts 495–6w

Grylls, Sir Michael
Debates etc.
Trade competitiveness (24.05.94) 190, (17.06.94) 890, 923–6
Questions
Standing Advisory Committee on Trunk Road Assessment 519w

Guard service
536w

Gulf States
Foreign relations 594w

Gummer, Rt Hon John Selwyn,
Secretary of State for the Environment
Questions
Air pollution control, Sulphur dioxide 154–6w
Consultants, Dept of the Environment 97w
Dept of the Environment, Cash limits 570–1w
EC Environment Council 671–2w
Environmental Research, Research finance 567w
Local authorities, Newspaper press 95–6w
Local government finance 156–8w
Local government functions, EC countries 331w
M25, Motorway service areas 572w
Non-domestic rates, Appeals 95w
Private Members' bills, Dept of the Environment 331w

Gun sports
Noise control 150w

Gunnell, Mr John
Questions
Belize, Overseas aid 16
Palestine National Authority 628

Guy's Hospital
Breast cancer 123w

Gypsies
Caravan sites 345w

***Hague, Mr William**, Parliamentary Under-Secretary of State, Dept for Social Security*
Debates etc.
Personal pensions (17.06.94) 944–8
Questions
Cellular phones, Dept of Social Security 40w
Civil servants' business appointments, Dept of Social Security 364–5w
"Code of Practice on Access to Government Information", Dept of Social Security 362w
Consultants, Dept of Social Security 39w
Departmental publications, Dept of Social Security 362w
Dept of Social Security, Civil servants' political activities 362–3w
Housing benefits, Public expenditure 682w
Maxwell companies, Pension funds 193w
Occupational pensions, Insolvency 249–50w
Pensioners, Social security benefits reductions 193w
Private detectives, Dept of Social Security 366–7w
Public expenditure, Dept of Social Security 682w
Social security payments 40–1w
War Pensions Agency, Complaints 580w
Widowers' benefits, Equal opportunities 39w

Hain, Mr Peter
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 662, 716–8
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 784–5, 801–2
Questions
Business questions 762–3
Departmental correspondence 10w
Post Office, Privatisation 433w
Rugby, Wales 549w, 647–8w

Hall, Mr Mike
Questions
Special education, Codes of practice 471w

Halle orchestra
1

Hamilton, Mr Neil
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 68–70, 83, 87–90
GATT (14.06.94) 592–601
Overseas trade, Cuba (26.05.94) 479–82
Questions
Company investigations 76–8w
Competition 76w
Dept of Trade inquiries 114–6w
Deregulation initiative 426w
Deregulation Task Force 174w
Deregulation Task Force, Finance 174w
Deregulation Task Force, Public appointments 173–5w
Dunlop, Company investigations 172–3w
East West trade, Conferences 173w
Euroseas Securities, Company investigations 77w
Fire prevention 427w
Fire prevention, Departmental coordination 601w
Fire prevention, Safety measures 630w
Fire regulations 601w
Insolvency 316–7w
Insurance companies 420–1w
Public houses 425–6w
Sandwell Borough Council, Labelling 319w
Small businesses, Audit 77–8w
Van Miert, Karel 114w

Hampson, Dr Keith
Debates etc.
Trade competitiveness (24.05.94) 194–5
Questions
Alcoholic drinks duties, Tax yields 306w
GP fundholders, Clinical psychologists 300w

***Hampson, Dr Keith**—continued*
Swan Hunter Shipbuilders 532w

Handicapped
Citizen's Charter 224–5w
Civil rights (26.05.94) 483–90
Discrimination (25.05.94) 346–9, 352–6
EC action 381w
EC social policy 367w
Equal opportunities 289w
Motor vehicle registration 522w
Prisoners 14–5w
Public utilities 427w
Sports 80w

Handicapped pupils
Schools 488w

***Hanley, Mr Jeremy**, Minister for the Armed Forces*
Debates etc.
Armed forces discharges, Pregnant women (25.05.94) 412–8
Ministry of Defence police (26.05.94) 453–60
Questions
Air force, Armed forces training 528–30w
Air force, Deafness 527w
Air force strength 110w
Armed forces, Food 621w
Armed forces, Redundancy pay 530w
Armed forces casualties, Iraq 111w
Armed forces deployment, New Zealand 531w
Armed forces housing, Empty housing 71w
Armed forces officers, Fringe benefits 534w
Armed forces training, Costs 234w
Armed forces training, RAF Valley 109w
Army Base Repair Organisation, Performance standards 111–2w
Army bases, Hazardous wastes 232w
Bosnia-Herzegovina, Armed forces deployment 232w
Campaign for Nuclear Disarmament, Publications 231w
"Code of Practice on Access to Government Information", Ministry of Defence 528w
Commonwealth War Graves Commission, Finance 527w
Consultants, Ministry of Defence 527–8w
D-Day landings, Festivals and special occasions 70w, 108w, 221–2w
Departmental publications, Ministry of Defence 536–7w
Exercise First Crusade 108w, 531w
Guard service 536w
Helicopters, Iraq 232w
HMS Endurance 110w
Hydrographer of the Navy 111w
Imphal barracks, Offices 74w
King's Troop Royal Horse Artillery, Festivals and special occasions 218w
Low flying, Disclosure of information 221w
Menwith Hill 533–4w
Military aircraft 110w
Military exercises, Botswana 218–9w
Military exercises, English Channel 161w
Military exercises, Fishing vessels 233–4w
Ministry of Defence police 535w
Ministry of Defence police, Manpower 535w
NATO, Nuclear non proliferation 528w
Nuclear weapons, France 110w
Nuclear weapons tests, Compensation 107–8w
Nuclear weapons tests, Eye disorders 107w
Nuclear weapons tests, Health hazards 231w
Princess Alexandra Hospital 537w
Private Members' bills, Ministry of Defence 70–1w
Public appointments, Dartmoor Steering Group 73w
Public appointments, Independent Board of Visitors for Military Corrective Training Centre and Royal Navy Detention Quarters 73w

***Hanley, Mr Jeremy**—continued*
RAF Chicksands 534w
RAF Chicksands, Arrests 533w
RAF Molesworth, Military intelligence 532–3w
Rescue services 529w
RNAD Beith 232w
Royal Naval College 219w, 230–1w
Royal Naval College, Foreign students 219–20w
Royal yacht 534–5w

Hanson, Mr David
Debates etc.
Economic policy (25.05.94) 363
Local Government (Wales) Bill (HL), Rep (15.06.94) 711–3
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 822–5
Solvent abuse (25.05.94) 372–5
Questions
Industrial injuries scheme, Bronchitis 245–6w
Invalidity benefits, Wales 582w
Local government services, Contracts for services 133w
Public utilities 427w
Public utilities, Handicapped 427w
Rwanda, Armed conflict 617–8
Woodcraft Folk for Wales, Government grants 177w

Hard core unemployed
287w

Hardy, Mr Peter
Debates etc.
Care of Cathedrals (Supplementary Provisions) Measure 1994 (16.06.94) 854–5
Questions
Fire prevention 427w
Mine safety 579w
Residential care, Private health services 377w

Harman, Ms Harriet
Questions
Direct taxation, Pensioners 357–8w
Housing benefits, Public expenditure 682w
Public expenditure, Dept of Social Security 682w
Public expenditure surveys 95w
Pyramid selling 321w
Tax thresholds, Pensioners 358–60w

Harmonisation of standards
Plugs and sockets 173w, 629w

Harrogate Borough Council
Council housing 237w

Harvey, Mr Nick
Questions
Armed forces training, RAF Valley 109w
Beef premiums 309w
Cattle, EC internal trade 309w
Channel tunnel, Railway network 160w
Indonesia, Overseas aid 17
Milk, Agricultural marketing 141–2w
Organophosphorous pesticides, Sheep dipping 182w
Sheep, Production quotas 435w
Slaughterhouses, Inspections 181w

Hawk aircraft
Indonesia 222w

Hawkins, Mr Nick
Questions
Crown prosecutors, Codes of practice 47w
Festivals and special occasions, D-Day landings 78w
Teacher training 511

Hawksley, Mr Warren
Debates etc.
Cyprus (26.05.94) 424
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 812–3
Questions
Probation committees, West Midlands 660w

Hayes, Mr Jerry
Questions
Japan, Foreign investment in UK 620–1
NHS trusts, Pay 174–5

Hazardous wastes
Army bases 232w
GATT 317w
Imports 569–70w
USA 150–1w

Headteachers
Dismissal 131w
Wales 131w, 547w

Heald, Mr Oliver
Questions
Business questions 760–1
Crown Prosecution Service 47w

Health aid
Reproduction 18–9w

Health and Safety Executive
49w

Health authorities
Executives 378w
Expenditure 624–5w, 684w
Finance 296w, 381–2w
Wales 548–50w

Health Care International
657w

Health education
Cancer 35–6w
Drug abuse 655w
Wales 655w

Health hazards
Alcoholism 124w
Exhaust emissions 120w
Nuclear weapons tests 231w
Oral contraceptives 684w
Radiotherapy 689–90w
Tobacco advertising 301w
Trawsfynydd power station 655–7w
Wylfa power station 655–7w

Health physics
Death 128w

Health service staff
590w
Day care of children 465w
Disciplinary proceedings 379w
Greater London 36w
Manpower 587w
Older workers 294w, 304w
Opposition parties 119w
Pay settlements 383–4w, 590w
Psychiatry 679w, 686–7w
Redundancy 36w
Wales 167

Health services
Administrative costs 373w
Age discrimination 32w, 299w
Equal opportunities 34–5w
Greater London 125–6w, 304–6w
Lothian Health Board 20w
Scotland 205w
South Yorkshire 294–5w

Health visitors
387–8w
Child safety 304w
NHS trusts 614w
Northern Ireland 444–6w
Scotland 457w, 604w
Training 617w
Wales 614w, 617w, 651–2w

Heart diseases
Surgery 621w

***Heathcoat-Amory, Mr David**, Minister of State, Foreign & Commonwealth Office*
Debates etc.
Cyprus (26.05.94) 427–9
Questions
Computer privacy, EC law 640w
Council of Europe 597–9w
Cuba, EC external relations 623
Cuba, Government 622–3

Heathcoat-Amory, Mr David—continued
Cuba, Human rights 623
Cuba, Sanctions 623
Cuba, Security 622
Cyprus, EC enlargement 639w
Cyprus, International organisations 113w
Developing countries, Common agricultural policy 399w
EC budget, Fraud 592w, 611–2
EC countries, Fraud 612–3
EC internal relations 45w, 619–20
EC law 597w, 643w
Economic and monetary union 616
Europe, Security 594w
European communities 591w
European parliament elections 619–20
European parliament members, Fascism 112w
Germany, EC presidency 592w
Gibraltar, Economic situation 223w
Gibraltar, European Parliament elections 223w
Intergovernmental Conference 594w
Italy 624
Italy, Council of Europe 45w
Italy, EC action 623–4
Italy, Fascism 624
Italy, Foreign relations 45–6w
Italy, Government 46w
Italy, Intergovernmental Conference 1996 113w
Mines, Arms trade 400w
Private Members' bills, Foreign and Commonwealth Office 395w
Treaties 615
Treaty on European Union 616
Treaty on European Union, Information 223w
Visegrad countries, EC integration 593w

Heathrow Airport
Air traffic 523–4w

Heating
Building regulations 671w
Council housing 650w

Hebron
Peace keeping operations 44w

Helicopters
Air accidents 737–8, 742–3
Defence procurement 72w
Iraq 232w

Help us to help you campaign
121w

Henderson Island
Environment protection 112w

Hendron, Dr Joe
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 284, 296–8

Hendry, Mr Charles
Debates etc.
Television Licences (Reduction for Poor Reception) Bill, 1R (24.05.94) 209–11
Questions
Councillors' allowances 348w
Direct labour departments, Financial targets 345–6w
Local government services, Contracts for services 346–8w
Local government services, Road works 346w
Local government staff, Redundancy pay 348–9w
Television reception 82w

Heppell, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 57–9
Railway pension orders (23.05.94) 138–9, 144–6
Questions
Community care 168–9

Hercules aircraft
220w

Hereditary Peers (Democratic Rights) Bill 1993/94
Debates etc.
1R (15.06.94) 631–3

Hereford and Worcester
Adult education 502
Centre for Policy Studies 15

Hereford and Worcester County Council
Educational finance 502

***Heseltine, Rt Hon Michael**, President of the Board of Trade*
Debates etc.
Trade competitiveness, Ministerial statements (24.05.94) 183–96
Questions
British Coal Corporation, Land ownership and tenure 325w
British Coal Corporation, Privatisation 176w
Chemical weapons convention 427w
Consultants, Dept of Trade and Industry 320–1w, 419w, 428–9w
Departmental publications, Dept of Trade and Industry 427–8w
Dept of Trade and Industry, Cash limits 599w
ECOCON Ventures 74w, 324w
Energy prices, Standing charges 600–1w
Export credit guarantees 601–2w
Export licensing 420w
Export licensing, Fences 421w
Exports, Cyprus 426w
Exports, Jordan 419–20w
Gas tariffs, Domestic energy conservation 318w
Insolvency Service 75w
Insolvency Service, Disclosure of information 323–4w
Insolvency Service, Eastern Europe 323w
Insolvency Service, Privatisation 74–5w, 324w
Insolvency Service, Stoy Hayward 427w
National Environmental Technology Centre 75w
Office of Gas Supply, Public appointments 416w
Office of Gas Supply, Recruitment 600w
Office of Telecommunications, Cash limits 599w
Petroleum exploration, Environment protection 417w
Private Members' bills, Dept of Trade and Industry 420w
Radioactive waste disposal, Cumbria 361w
Repetitive strain injury, Dept of Trade and Industry 172w
Secondhand cars, Consumer protection 316w
Security industry, Exhibitions 421w
Stoy Hayward, Official receiver 324w
United Kingdom Atomic Energy Authority, Consultants 172w
Warren Spring Laboratory, Redundancy 419w

Hicks, Mr Robert
Questions
Palestinians, Foreign Relations 595w

Higher education
500

Higher education teachers
Recruitment 625w

Highways Agency
Privatisation 524w

Hill, Mr James
Questions
Crime prevention 515–6

Hill, Mr Keith
Debates etc.
Railway pension orders (23.05.94) 142–4
Questions
Cabinet, Ministerial changes 752–3
Mines, Arms trade 400w
Minx programme 527w
Unemployment 515–6

Hill farming
147w

Hill livestock allowances
Environment protection 572w

Hinchliffe, Mr David
Questions
Child Support Agency, Hotels 103–4w
Chronically sick 216w
Creutzfeldt-Jakob dementia, Blood donors 297w
Inland Revenue, Wakefield 94w
Maintenance, Children 104w, 190–2w
Residential care, Private health services 166
Sports, Citizen's Charter 648w

Hip replacements
121w
Wales 613w

Historic Royal Palaces Agency
Income 185w

History
Curriculum 472w

HIV infection
Prisoners 490–2w

HMS Endurance
110w

Hodge, Ms Margaret
Debates etc.
Members' oath and affirmation (14.06.94) 517

Hoey, Ms Kate
Questions
Integrated schools, Northern Ireland 650w
Integrated schools, Rathlin Island 748

***Hogg, Rt Hon Douglas**, Minister of State, Foreign & Commonwealth Office*
Questions
Bosnia-Herzegovina, Foreign policy 622
Chemical weapons convention 403w
Chichester, Giles 674w
Foreign and Commonwealth Office, Arms control 402–3w
Gaza Strip, Diplomatic relations 44–5w
Goodall, Paul, Homicide 611
Gulf States, Foreign relations 594w
Hebron, Peace keeping operations 44w
International Court of Justice, Nuclear weapons 405–6w
Iran, Human rights 397–8w
Iran, IRA 398–9w
Iran, Sanctions 44w
Iran, Terrorism 112w, 397w, 674w
Iraq, Nuclear weapons 185–6w
Israel, Lebanon 628
Know-how Fund 217w
Liberia, Peace keeping operations 42w
Lockerbie, Bombings 595w
Middle East, Peace negotiations 595w, 627–8
North Korea, Nuclear reactors 186w
North Korea, Nuclear safeguards 186w
Palestine National Authority 628
Palestinians, Foreign Relations 595w
Palestinians, Overseas aid 113–4w
Rwanda, Armed conflict 43w, 396w, 640–2w
Rwanda, Armed forces deployment 594w
Rwanda, Peace keeping operations 42w
Saudi Arabia, Human rights 41w
Sudan, Peace negotiations 406w
Sudan, Sanctions 45w
Terrorism 399–400w
UN agencies, UK contributions 398w
World Health Organisation, Nuclear weapons 405w
Yemen, Refugees 396–7w

Hogg, Mr Norman
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 226–9
Questions
A80, Road works 332

Home care services
Wales 655w

Home Office
Cash limits 558–9w
Cellular phones 10w
"Code of Practice on Access to Government Information" 280w
Contracts for services 15–6w
Ethnic minorities 496–502w
Government information services 16w
Private Members' bills 281–2w
Repetitive strain injury 163w
Security industry 9w

Home Robertson, Mr John
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 212
Questions
Homelessness, Scotland 319
Non-departmental public bodies, Scotland 202w

Home visits
Family doctors 170–1, 376w, 605–6w

Homelessness
Community care 624w
Scotland 319

Homicide
Adams, Rolan 268w, 326w
De Vries, Andrew 512
Goodall, Paul 217–8w, 611
Kennedy, Malcolm 13
Lawrence, Stephen 268w, 325–6w
Prison sentences 502–3w

Homicide (Defence of Provocation) Bill 1993/94
Debates etc.
2R order read (17.06.94) 938

Hong Kong
Criminal investigation 400–1w
Human rights 625–6
Mak, Foon Than Drax 397–8w
Tan, George 398w
Trials 398w

Hong Kong Attorney General
398w

Hood, Mr Jimmy
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 237, 243–5, 257
Trade competitiveness (17.06.94) 926

Hooliganism
Public service vehicles 242w
Scotland 242w

Hoon, Mr Geoffrey
Questions
EC internal relations 620
Family practitioner services, Nottinghamshire Family Health Services Authority 297w
Maintenance, Children 249w
Water pollution, Annesley Bentinck colliery 331–2w

Hordern, Rt Hon Sir Peter
Questions
EC countries, Fraud 612

Horses
Export of live animals 648w
Northern Ireland 648w
Slaughterhouses 440w

Horticulture
79w

Hospices
Wales 551w

Hospital admissions
176–7
Mental patients 687w
North West region 176

Hospital beds
34w
AIDS 683w
Alzheimer's disease 591w

Hospital beds—continued
Geriatric patients 119–20w
Glasgow Royal Infirmary 605w
Mental patients 687w
Residential care 683w
Respite care 591–2w

Hospital closures
Grampian 323
Ravenspark Hospital 611w

Hospital consultants
Cancer 295w
Disciplinary proceedings 210w
Merit awards 375w
Pensions 213w
Scotland 460w
Surgery 460w
Vacancies 587–8w, 592w
Wales 654w, 696w

Hospital discharges
Community care 36w

Hospital patients
215w
Prescription charges exemptions 300w

Hospital waiting lists
300w, 388w
Bolton General Hospital 176
Costs 590w
Northern Ireland 588w
Out-patients 119w, 122w
Patient's Charter 299–300w
Scotland 330–1
Surgery 33w
Wales 617–9w, 659w

Hospital wards
Mental patients 687w
Women 303w

Hospitals
119w
Birmingham 215w
Greater London 35w, 215w
Hygiene 122w
Medical treatments 35w
Ministers' domestic visits 380w
Performance standards 121w
Private patients 303w

Hotels
Child Support Agency 103–4w

House of Commons Chamber
Speaker's rulings and statements (24.05.94) 224

House of Commons procedure
Civil Rights (Disabled Persons) Bill 1993/94 (25.05.94) 366–9

House renovation grants
Employment opportunities 332–3w

Housing
Construction costs 238w
West Midlands 632w

Housing action trusts
Liverpool 152w

Housing Association Tenants' Ombudsman
237w
Complaints 237w
Northern Ireland 450w
Wales 450w

Housing Association Tenants' Ombudsman for Scotland
Complaints 463w

Housing associations
(25.05.94) 369–71
Community care 624w

Housing benefits
Public expenditure 682w

Housing Corporation
Finance 83–4w
North Yorkshire 83w

Housing improvement
Scotland 207w

***Howard, Rt Hon Michael**, Secretary of State for the Home Department*
Questions
Cellular phones, Home Office 10w
"Code of Practice on Access to Government Information", Home Office 280w
Directorate of Telecommunications, Privatisation 558w
Home Office, Cash limits 558–9w
Home Office, Security industry 9w
Police and Magistrates' Courts Bill 1993/94 559–60w
Private Members' bills, Home Office 281–2w
Repetitive strain injury, Home Office 163w
VIP protection 163w

Howarth, Mr Alan
Debates etc.
Trade competitiveness (17.06.94) 915–20, 931
Questions
Civil Rights (Disabled Persons) Bill 1993/94 355w
Civil Rights (Disabled Persons) Bill 1993/94, Compliance cost assessments 366w, 413w
EC social policy, Handicapped 367w
Handicapped, EC action 381w
Handicapped pupils, Schools 488w
Incapacity benefit, Medical examinations 365w
Independent Living 1993 Fund, Social security recipients 363–4w
Mobility of disabled, EC action 526w
Social security benefits disqualification, Voluntary work 365w

Howarth, Mr George
Debates etc.
GATT (14.06.94) 527, 533, 588–92

Howell, Sir Ralph
Debates etc.
O'Byrne/Patrick (14.06.94) 605

Howells, Dr Kim
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 660–1
Questions
South Africa, EC external relations 6129

Hughes, Mr Robert
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 226
Questions
Hospital closures, Grampian 323

***Hughes, Mr Robert G**, An Assistant Whip*
Debates etc.
GATT (14.06.94) 601

Hughes, Mr Simon
Debates etc.
Care of Cathedrals (Supplementary Provisions) Measure 1994 (16.06.94) 853, 857–9
Questions
Agricultural land, Water pollution 435–6w
British Nuclear Fuels, THORP 342–3w
Civil Rights (Disabled Persons) Bill 1993/94 366w
Council tenants, Tenancy agreements 151–2w
Employment opportunities, Southwark 409w
Government securities 355w
Hypermarkets, Planning permission 469w
Hypermarkets, Wales 653w
Immigrant detainees 162w
Migration 557–8w
National debt 625–6w
National income, Nationalised industries 355w
Noise 567w
Oslo Commission 337–8w, 572w

Hughes, Mr Simon—continued
Oslo Commission, Radioactive waste disposal 573–4w
Right to buy, Defective housing 343w
Road construction 136w
Road construction, Contracts 60–8w
Safeway, Planning permission 671w
Shared ownership schemes, Repossession orders 343w
Social security benefits 362w
Tenants' incentive scheme, London boroughs 341–2w
THORP, Nuclear accidents 602w
THORP, Nuclear fuel reprocessing 428w
Unemployment, Greater London 410w, 413–4w

Human embryo experiments
295–6w
Fertility 166–7
Waste disposal 210w

Human Fertilisation and Embryology Authority
Licensing 210–1w

Human rights
China 45w, 593w
Cuba 623
Hong Kong 625–6
Iran 397–8w
Iraq 631w
Overseas aid 17
Rwanda 640–1w
Saudi Arabia 41w

Humberside
Local government reform 85–6w, (26.05.94) 491–8

Hume, Mr John
Questions
IRA, Terrorism 741–2
Prisoners' transfers, Northern Ireland 251w

Hunger strikes
Campsfield House Detention Centre 693w

***Hunt, Rt Hon David**, Secretary of State for Employment*
Debates etc.
Education, Ministerial statements (24.05.94) 197–207
Questions
Industrial democracy 168w
Training and enterprise councils 167–8w

Hunter, Mr Andrew
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 276–8
Questions
Companies, Northern Ireland 199w
Self-employed, Northern Ireland 199w
Wena Hotels, Egypt 288w

***Hurd, Rt Hon Douglas**, Secretary of State for Foreign & Commonwealth Affairs*
Questions
Argentina 625
Argentina, Foreign policy 624–5
EC Foreign Affairs Council 186–8w
European Commission 615
Israel, Arms embargoes 224w
Italy, Foreign policy 614
Italy, Government 614–5
Rwanda, Armed conflict 613–4
South Africa 616–7
South Africa, EC external relations 6129
South Africa, Foreign policy 616
South Africa, Rwanda 617
Special Operations Executive, Public records 596w
Ukraine, Foreign relations 591w

Hydrocarbon oil duties
Diesel fuel 306w

Hydrographer of the Navy
111w

Hygiene
Hospitals 122w

Hypermarkets
Planning permission 469w
Scotland 469w
Wales 653w

Hypnosis
Admissibility of evidence 161w

I Spy Strangers
(17.06.94) 923

Identification
Pets 280w

Identification of criminals
Dogs 251w

Illsley, Mr Eric
Questions
Pre-school education 473w

Immigrant detainees
162w
Airlines 16–7w
Mukasa, Richard 675w

Immigrants' dependants
European Economic Area 10w
Immigration applications 253–4w
Immigration rules 254w

Immigration
Embassies 402w

Immigration applications
253w, 662w, 674w, 693w
Cohabitation 163w
Immigrants' dependants 253–4w
Political refugees 693–4w

Immigration (European Economic Area) Order 1994
Questions
254w
Marriage of convenience 100w
Social security 10w
Vocational training 101w

Immigration rules
99w, 180
Immigrants' dependants 254w
Turkey 9w, 101w

Immobilisation of vehicles
Private property (25.05.94) 377–80

Imphal barracks
Offices 74w

"Implications of Local Government Reorganisation in Wales for Health Boundaries and Proposals for Restructuring Health Authorities"
Welsh language 651w

Import of live animals
Channel tunnel 309w

Imports
China 77w
Hazardous wastes 569–70w

Incapacity benefit
Carers 584w
Medical examinations 365w
Multiple sclerosis 49–50w, 193–4w

Income support
38–9w
Part-time education 361w
Social security benefits disqualification 361w
Wandsworth 361w

Income tax
351w
Company cars 359–60w
Disabled workers 359–60w
Personal tax allowances 352–3w
Prince of Wales 1–2w

Independent Board of Visitors for Military Corrective Training Centre and Royal Navy Detention Quarters
Public appointments 73w

Independent Living 1993 Fund
681w
Local government social services 39–40w
Social security recipients 363–4w

India
Prisoners 188w
Torture 188w

Indonesia
Foreign relations 594w
Hawk aircraft 222w
Overseas aid 17
Sugiasti, Titi 400w
Thatcher, Margaret 102–3w

Industrial accidents
Death 47w

Industrial democracy
168w

Industrial disablement benefits
Coal mining 105–6w

Industrial diseases
Pneumoconiosis 105w

Industrial disputes
National Union of Rail Maritime and Transport Workers 512, 517w, 749

Industrial health and safety
Orders and regulations 413w
Pregnant women 511–2w

Industrial injuries scheme
Bronchitis 245–6w, 364w
Emphysema 245–6w, 364w

Industrial investment
429w
Scotland 330

Industrial production
602w
Trade competitiveness 603w

Industrial research
Research finance 116–7w

Industrial Tribunals
408w
Public appointments 407–8w

Industrial Tribunals Extension of Jurisdiction (England and Wales) Order 1994
Debates etc.
(23.05.94) 24

Industrial Tribunals Extension of Jurisdiction (Scotland) Order 1994
Debates etc.
(23.05.94) 24

Industry
Environment protection 95w

Inflammatory bowel disease
Cannabis 124w

Information
Treaty on European Union 223w

Information Select Committee
(24.05.94) 307

Information services
NHS 301w

Ingram, Mr Adam
Questions
Maintenance, Children 190w, 580–1w

Inheritance tax
Agricultural land 9w

Inland Revenue
Wakefield 94w

Inland waterways
Research finance 518w

Inner city areas
Capital investment 88w

Inner London boroughs
Diseases 32w

Insolvency
316–7w
Occupational pensions 249–50w

Insolvency (No 2) Bill 1993/94
Debates etc.
Royal Assent (26.05.94) 449

Insolvency Service
- 75w
- Disclosure of information 323–4w
- Eastern Europe 323w
- Privatisation 74–5w, 324w
- Stoy Hayward 427w

Insurance
- Dept of National Heritage 184w
- Eastern Europe 371–2w

Insurance companies
- 420–1w

Integrated administration and control system
- 310–1w

Integrated schools
- Northern Ireland 650w, 747–8
- Rathlin Island 748

Intelligence and Security Committee
- 229–30w

Intelligence Services Bill (HL) Bill 1993/94
  - *Debates etc.*
- Royal Assent (26.05.94) 449

Intergovernmental Conference
- 594w

Intergovernmental Conference 1996
- Italy 113w

International aid from international bodies
- 391w
- UK contributions 20w

International assistance
- United Nations 17–8w

International cooperation
- Terrorism 112w, 674w

International Court of Justice
- Nuclear weapons 378–9w, 405–6w

International Military Services
- 220w, 531w
- Treasury Solicitors Dept 326w

International organisations
- Cyprus 113w

International trade
- (14.06.94) 521–601

International Transport Conventions Act 1983 (Amendment) Order 1994
  - *Debates etc.*
- (23.05.94) 154

International Whaling Commission
- 575–7w

Interreg programme
- Wales 234w

Invalidity benefits
- Wales 582w

Ionizing radiation
- Scotland 207–8w

IRA
- Iran 398–9w
- Northern Ireland government 741
- Terrorism 741–2

Iran
- Human rights 397–8w
- IRA 398–9w
- Sanctions 44w
- Terrorism 112w, 397w, 674w

Iraq
- Armed forces casualties 111w
- Helicopters 232w
- Human rights 631w
- Nuclear weapons 185–6w
- Water supply 289w

Iraq-Kuwait conflict
- Refugees 41w

Irish Sea
- Petroleum exploration licences 417–8w

Isle of Wight
- Community care 166

Israel
- Arms embargoes 224w
- Lebanon 628

Italy
- 624
- Council of Europe 45w
- EC action 623–4
- Fascism 624
- Foreign policy 614
- Foreign relations 45–6w
- Government 46w, 614–5, 622–3
- Intergovernmental Conference 1996 113w
- World War II 2w

Jack, Mr Michael, Minister of State, Ministry of Agriculture, Fisheries & Food
  - *Questions*
- Arable area payments scheme, Wales 672w
- Beef premiums 309w
- Cellular phones, Ministry of Agriculture Fisheries and Food 309w
- Cereals, Agricultural subsidies 439w
- Civil servants' business appointments, Ministry of Agriculture Fisheries and Food 574w
- "Code of Practice on Access to Government Information", Ministry of Agriculture Fisheries and Food 439–40w
- Consultants, Ministry of Agriculture Fisheries and Food 69w
- Departmental publications, Ministry of Agriculture Fisheries and Food 572–3w
- Drift nets, France 143w
- EC Fisheries Council 441–2w
- Environmentally sensitive areas, Government grants 308w
- Fish conservation 182w
- Fishing gear 142–3w
- Fishing limits, Spain 182w
- Fishing vessels, Decommissioning 573–5w
- Grazing land, Environment protection 572w
- Hill livestock allowances, Environment protection 572w
- International Whaling Commission 575–7w
- Milk, Agricultural marketing 141–2w, 672w
- Oslo Commission 572w
- Oslo Commission, Radioactive waste disposal 573–4w
- Private Members' bills, Ministry of Agriculture Fisheries and Food 435w
- Repetitive strain injury, Ministry of Agriculture Fisheries and Food 147–8w
- Sheep, Production quotas 435w
- Sheep premiums 443–4w
- Straw burning 143–4w
- Whales, Nature conservation 69–70w
- Whales, Norway 69w

Jackson, Ms Glenda
  - *Debates etc.*
- Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 87
- Railway pension orders (23.05.94) 147–8, 150
  - *Questions*
- King's Cross Fire Inquiry, Railway safety 520w
- Rwanda, Armed conflict 613

Jackson, Mrs Helen
  - *Debates etc.*
- Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 (25.05.94) 395, 397–8, 403
- Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 33–5, 49, 71, 110–1
  - *Questions*
- Fire prevention, Departmental coordination 601w, 692w
- Hospitals, Hygiene 122w
- Juries, National insurance contributions 245w
- Juries, Unemployed 250w
- River Darent, Water abstraction 568w
- Road signs, Metrication 668w

Jamieson, Mr David
  - *Questions*
- Business questions 340
- Devonport dockyard, Contracts for services 71w
- Devonport dockyard, Contracts of employment 71w
- Devonport dockyard, Redundancy 71w
- Devonport dockyard, Trident submarines 72w
- Grant maintained schools, Voting methods 506
- Outdoor education, Northern Ireland 293w
- Outdoor education, Safety standards 81w
- Petrol alternatives, Natural gas 153w

Janner, Mr Greville
  - *Debates etc.*
- Education (24.05.94) 203
  - *Questions*
- Business questions 339
- Italy, Fascism 624

Japan
- Foreign investment in UK 620–1
- Foreign relations 593w
- Radioactive wastes 342w

Jenkin, Mr Bernard
  - *Debates etc.*
- Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 62–3
  - *Questions*
- Asthma 174
- Business questions 760
- Centre for Policy Studies, Essex 13

Jessel, Mr Toby
  - *Debates etc.*
- Armed forces discharges, Pregnant women (25.05.94) 416
  - *Questions*
- Arts Council 5
- Rwanda, Armed conflict 618–9

Johnson Smith, Sir Geoffrey
  - *Questions*
- Ministry of Defence, Civil servants 220w
- Road safety, Driving tests 518w

Johnston, Sir Russell
  - *Questions*
- British residents abroad, Prisoners 642–3w

Jones, Mr Barry
  - *Debates etc.*
- GATT (14.06.94) 564–7
- Trade competitiveness (24.05.94) 193
  - *Questions*
- Aerospace industry, Employment 287w
- Aircraft 173w
- EC internal relations 619
- Headteachers, Wales 547w
- Hercules aircraft 220w
- Military aircraft 220w
- Orchestras 79w
- Pre-school education, Wales 547w, 614w
- Radiotherapy, Health hazards 689–90w
- Royal Liverpool Philharmonic Orchestra 2
- Teachers, Wales 547–8w

***Jones, Mr Gwilym**, Parliamentary Under-Secretary of State, Welsh Office*
  - *Debates etc.*
- Local Government (Wales) Bill (HL), Rep (15.06.94) 687–8, 696–8, 727
- Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 798–9, 803–5, 818–9, 825, 828–31, 833–6
  - *Questions*
- Accident and emergency departments, Wales 614w
- Ambulance services, Emergency calls 653w
- Care and repair initiative, Wales 177w
- Charities, Government grants 652w
- Coxsackie virus, Wales 615w
- Environment protection, Wales 652–3w
- Eye disorders, Surgery 695w
- Government grants to voluntary organisations, Wales 615–7w
- GP fundholders, Wales 653w

***Jones, Mr Gwilym**—continued*
Health authorities, Wales 548–50w
Health education, Drug abuse 655w
Health visitors, NHS trusts 614w
Health visitors, Training 617w
Health visitors, Wales 651–2w
Hip replacements, Wales 613w
Home care services, Wales 655w
Hospital consultants, Wales 654w, 696w
Hospital waiting lists, Wales 617–9w
Hypermarkets, Wales 653w
"Implications of Local Government Reorganisation in Wales for Health Boundaries and Proposals for Restructuring Health Authorities", Welsh language 651w
Landslips, St Dogmaels 549w
Local government services, Wales 654w
Local government staff, Wales 611–3w
Multiple sclerosis, Wales 177w
National parks, Wales 549–50w
National Rivers Authority Advisory Committee for Wales, Annual reports 698w
NHS trusts, Wales 132w
Nurses, Wales 614w
Nursing homes, Wales 615w
Planning inquiries, Oystermouth 655w
Planning Inspectorate, Performance standards 178w
Pre-school education, Wales 614w
Prescription charges exemptions 556w
Prosthetics, NHS internal market 654w
Radioactive wastes, Pollution 651–2w
Surgery, Carmarthen and District NHS Trust 654w
Surgery, Wales 655w
Town and country planning, Wales 654w
Water charges, Wales 651w
Welsh Office, Departmental circulars 698w
Welsh Water, Fluoridation 655w

Jones, Mr Ieuan Wyn
Debates etc.
GATT (14.06.94) 522
Local Government (Wales) Bill (HL), Rep (15.06.94) 675, 678
Railway pension orders (23.05.94) 128
Questions
Business questions 341
"Implications of Local Government Reorganisation in Wales for Health Boundaries and Proposals for Restructuring Health Authorities", Welsh language 651w
Industrial injuries scheme, Bronchitis 364w
NHS trusts, Wales 132w
Nursing homes, Wales 615w
Rwanda, Armed conflict 395w, 640–2w
Rwanda, Overseas aid 390w

Jones, Mr Jon Owen
Debates etc.
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 807, 810
Welsh Development Agency, Points of order (16.06.94) 765–6
Questions
South Africa, Commonwealth 46w
Welsh Development Agency, Departmental correspondence 37w

Jones, Dr Lynne
Debates etc.
Fine Defaulters (Restriction of Power to Imprison) Bill, 1R (24.05.94) 207
Questions
Apprentices 287–8w
Fertility, Medical treatments 622–3w
GATT, Disputes procedures 321–3w
GATT, EC law 322w
GATT, Hazardous wastes 317w
GATT, UK contributions 323w
Greenbelt, West Midlands 631–2w
Housing, West Midlands 632w
Immigration applications, Cohabitation 163w
London Church of Christ 661w
Slaughterhouses, Sheep 435w
Special education, Codes of practice 471w

***Jones, Dr Lynne**—continued*
World Trade Organisation, Disputes procedures 322–3w

Jones, Mr Martyn
Debates etc.
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 844–5
Trade competitiveness (17.06.94) 873, 894
Questions
Cancer 212–3w
Cancer, Northern Ireland 290–1w
Cancer, Scotland 456w
Charities, Government grants 652w
Forests, Land acquisition 537–8w
Government grants to voluntary organisations, Wales 615–7w
Grant Maintained Schools Centre 477–8w
Health visitors, NHS trusts 614w
Health visitors, Training 617w

Jones, Mr Nigel
Questions
Coal Research Establishment 75w
Coal Research Establishment, Investment 317–8w
Dept of Employment, Psychometric testing 409–10w
Dept of Social Security, Civil servants' political activities 362–3w
VIP protection 163w
Water pollution 235–6w

Jopling, Rt Hon Michael
Questions
Environmentally sensitive areas, Government grants 308w

Jordan
Arms trade 530w
Exports 419–20w
Thatcher, Margaret 103w, 158w

Journalists
Prevention of Terrorism (Temporary Provisions) Act 1989 199w

Jowell, Ms Tessa
Questions
Adoption, Ethnic minorities 34w
Average earnings 626–8w
Cancer, Medical Treatments 31–3w
Diseases, Inner London boroughs 32w
GP fundholders, Greater London 34w
Health services, Age discrimination 32w
Health services, Greater London 125–6w
Hospital beds 34w
Hospital waiting lists, Surgery 33w
Hospitals 119w
Hospitals, Greater London 215w
Hospitals, Medical treatments 35w
Medical research, Research finance 35w
Mental health services, Expenditure 30–1w
NHS internal market, Medical treatments 33w
Nurses, Prescriptions 35w
Primary health care, Expenditure 33w
Railway stations, Greater London 57w

Jubilee line
Construction costs 60w
Employment opportunities 523w, 638w

Judges
Administration of justice 5w
Training 328w
Working hours 5w

Judiciary
Equal opportunities 6w
Public appointments 327–9w

Junior hospital doctors
Working hours 120w

Juries
National insurance contributions 245w
Unemployed 250w

Keen, Mr Alan
Questions
Building industry, Local government finance 48w
Building industry, Manpower 48w

Kellett-Bowman, Dame Elaine
Debates etc.
GATT (14.06.94) 522–3, 526
Questions
Business questions 763
EC countries, Fraud 613
NHS administration 752

Kennedy, Mr Charles
Questions
NHS, Scotland 204w
Raigmore Hospital, Recruitment 331

Kennedy, Malcolm
Homicide 13

Kent
Non-teaching staff 137w
Teachers 137w

Kent County Council
Grant maintained schools 506

***Key, Mr Robert**, Parliamentary Under-Secretary of State, Dept of Transport*
Debates etc.
A47, Road works (23.05.94) 161–4
Railway pension orders (23.05.94) 144
Questions
A19, Telephones 282w
A35, Bypasses 519w
A41, Bypasses 524w
A41, Road traffic 524w
Birmingham relief road, Public inquiries 283w
Bridges, Lorries 135w
Buses, Road safety 515–6w, 638w
Buses, Safety belts 135w, 515–6w
Company cars, Road accidents 55w
Cycling, Road accidents 58w
Cycling, Transport policy 669w
Dept of Transport, Performance standards 510–1w
Diesel vehicles 283w
Drinking and Driving, Road accidents 58–9w
Driver and Vehicle Licensing Agency, Consultants 520w
Driver and Vehicle Licensing Agency, Finance 520w
Driver and Vehicle Licensing Agency, Performance standards 520w
Driving tests 634–8w
Highways Agency, Privatisation 524w
Lorries 55–6w
M25, Road construction 666–7w
M25, Road works 134w
M40 667–8w
M40, A5 525w
M62, Compulsory purchase 159–60w
Minibuses, Licensing 668–9w
Mobility of disabled, Road tax 526w
Motor vehicle registration, Disclosure of information 522w
Motor vehicle registration, Handicapped 522w
Motor vehicle registration, Retail trade 523w
Motor vehicle registration, Road tax 521–2w
Pedestrians, Road accidents 135–6w
Private detectives, Dept of Transport 509w
Road accidents, Tractors 563–4w
Road construction 136w
Road construction, Construction materials 158–9w
Road construction, Contracts 60–8w
Road construction, Land acquisition 134–5w
Road construction, Weston Super Mare 136w
Road safety, Driving tests 518w
Road signs, Metrication 668w
Road tax, Tax evasion 520–3w
Road traffic, Research 53–4w
Road transport, Investment 668w
Road works, Expenditure 564w
Road works, Telephone services 51–2w
Safety belts, Minibuses 54w, 285w
Standing Advisory Committee on Trunk Road Assessment 283w, 519w

Key, Mr Robert—continued
Trans-European networks, Road construction 284w
Trans-European networks, Roads 284w
Transport Research Laboratory 134w
Vehicle Inspectorate, Expenditure 509w
Vehicle Inspectorate, Finance 510w

Khabra, Mr Piara S
Questions
Town halls, Southall 11

Kilfedder, Sir James
Questions
Crime, North Down 744

Kilfoyle, Mr Peter
Questions
Housing action trusts, Liverpool 152w
Public appointments, Dartmoor Steering Group 73w
Public appointments, Independent Board of Visitors for Military Corrective Training Centre and Royal Navy Detention Quarters 73w

King, Rt Hon Tom
Debates etc.
Trade competitiveness (24.05.94) 191

King's Cross Fire Inquiry
Railway safety 59w, 519–20w

King's Cross Station
Railway network 160w

King's Troop Royal Horse Artillery
Festivals and special occasions 218w

Kingston upon Hull
Construction costs 238w

Kirkwood, Mr Archy
Debates etc.
GATT (14.06.94) 525
Questions
Business questions 336, 756
Departmental publications, Attorney General 368w
Departmental publications, Chancellor of the Duchy of Lancaster 434w
Departmental publications, Dept for Education 487w
Departmental publications, Dept of Employment 410w
Departmental publications, Dept of Health 378w
Departmental publications, Dept of National Heritage 647w
Departmental publications, Dept of Social Security 362w
Departmental publications, Dept of the Environment 341–2w
Departmental publications, Dept of Trade and Industry 427–8w
Departmental publications, Dept of Transport 524w
Departmental publications, Foreign and Commonwealth Office 403w
Departmental publications, Lord President of the Council 415w
Departmental publications, Ministry of Agriculture Fisheries and Food 572–3w
Departmental publications, Ministry of Defence 536–7w
Departmental publications, Northern Ireland Office 450w
Departmental publications, Scottish Office 467w
Departmental publications, Treasury 355w
Departmental publications, Welsh Office 551w
Forestry Review Group 326
Parliamentary private secretaries 2–4w
Scottish Environment Protection Agency 204w

Knapman, Mr Roger
Questions
Necrotising fasciitis 172

Knight, Mrs Angela
Questions
Air force, Defence procurement 222w

Knight, Mrs Angela—continued
EC budget, Fraud 592w
Grant maintained schools 507
Planning permission, Coal mining 154w
Private rented housing 238–40w

Knight, Dame Jill
Questions
Fertility, Human embryo experiments 167
Mutual Recognition of qualifications, Free movement of labour 166w
Prison staff, Manpower 163–4w

Know-how Fund
217w
Baltic states 17w
South Africa 140w

Knox, Sir David
Questions
Press, Self-regulating organisations 80w

Kock, Stephan
Government departments 102w

Kurds
Turkey 397w

Kynoch, Mr George
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 228–34, 240
Questions
Access to countryside 326
Council of Ministers, Voting methods 179
Dept of Trade and Industry, Cash limits 599w
Office of Telecommunications, Cash limits 599w
Royal Scottish National Hospital and Community NHS Trust, Forth Valley Healthcare NHS Trust 20–2w
Scottish Advisory Group on Sustainable Development, Public appointments 607–8w
Scottish Office, Cash limits 607w
Trauma centres, Scotland 205w

Labelling
Sandwell Borough Council 319w

Labour Party
Educational policy 501

Lait, Mrs Jacqui
Debates etc.
Trade competitiveness (17.06.94) 869–83
Questions
NHS trusts, Contracts for services 210w
Respite care, East Sussex 169
Trident missiles, Testing 234w
United Kingdom Atomic Energy Authority, Decommissioning 670w

Lambeth
Child care 211w

Lamont, Rt Hon Norman
Questions
European Commission 753–4

Lancashire
Further education colleges 586w

Land acquisition
Forests 537–8w
Road construction 134–5w

Land Authority for Wales
Public appointments 177–8w

Land ownership and tenure
British Coal Corporation 325w

Land pollution
Local enterprise companies 468–9w

Landlord and tenant
Mobile homes 332w

Landlord and Tenant (Covenants) Bill 1993/94
Debates etc.
2R order read (17.06.94) 938

Landslips
St Dogmaels 549w

***Lang, Rt Hon Ian**, Secretary of State for Scotland*
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 212–9
Questions
Adoption, Scotland 460–2w
Cellular phones, Scottish Office 206w
Civil servants' business appointments, Scottish Office 472w
"Code of Practice on Access to Government Information", Scottish Office 460w
Consultants, Scottish Office 457w
Coxsackie virus, Medical research 458w
Coxsackie virus, Scotland 459w
Creutzfeldt-Jakob dementia, Scotland 461–2w
Departmental publications, Scottish Office 467w
Economic situation, Scotland 201w
Employment, Scotland 201w
Environmentally sensitive areas, Scotland 22w
Foreign investment in UK, Scotland 329–30
Forestry Commission, Privatisation 204w
Greater Glasgow Health Board, Dismissal 608w
Industrial investment, Scotland 330
Local government reform, Scotland 327
Local government staff, Scotland 326–7
Lockerbie, Bombings 319–20
McKenzie, Morris 459w
Non-departmental public bodies, Scotland 202w, 453w
Parliamentary Commissioner for Administration, Non-departmental public bodies 453w
Private Members' bills, Scottish Office 208w
Public expenditure, Scotland 324
Repetitive strain injury, Scottish Office 206w
Royal Scottish National Hospital and Community NHS Trust, Forth Valley Healthcare NHS Trust 20–2w
Scottish Office, Cash limits 607w
Scottish Office, Market research 22w
Scottish Prison Service, Performance standards 244–6w
Strathclyde Regional Council, Railway network 608w
Training, Scotland 324–5

LAUTRO
see Life Assurance and Unit Trust Regulatory Organisation

Law Officers' Dept
see Attorney General

Lawrence, Sir Ivan
Questions
Business questions 338
Directorate of Telecommunications, Privatisation 558w
Home Office, Cash limits 558–9w
National Lottery 12
Secure training centres, Personnel 99w

Lawrence, Stephen
Homicide 268w, 325–6w

Lebanon
Israel 628

Leeds
Dental services 120–1w

Legal aid scheme
Franchising 330w, 406w, 666w

Legal education
Scotland 455w

Legal opinion
Personal injury 4–5w
Small claims 3w

Legal representation
Small claims 4w

Legal Services Ombudsman
Annual reports 562w

Legislature
South Africa 188–9w

***Lennox-Boyd, Mr Mark**, Parliamentary Under-Secretary of State, Foreign & Commonwealth Office*
Debates etc.
Rwanda (24.05.94) 312–5
Questions
Aid financed trade 17w, 393w
Albania, EC aid 394w
Angola, Foreign relations 595w
Baltic states, Know-how Fund 17w
Belize, Overseas aid 16
Bilateral aid 391w
British residents abroad, Prisoners 642–3w
Burundi, Cholera 389–90w
China, Overseas aid 389w
"Code of Practice on Access to Government Information", Foreign and Commonwealth Office 399w
Commonwealth Institute 394w
Commonwealth Institute, Scotland 394w
Crime victims, Administration of justice 403w
Crown Agents, Security industry 393w
Departmental correspondence 189w
Departmental publications, Foreign and Commonwealth Office 403w
Development aid 18w
Eastern Europe, Overseas aid 393w
EC aid, Food aid 392–3w
Embassies 402w
Embassies, Immigration 402w
Ethiopia, Food aid 391w
European Development Fund 19–20
Goodall, Paul, Homicide 217–8w
Immigration applications 674w
India, Prisoners 188w
India, Torture 188w
Indonesia, Overseas aid 17
International aid from international bodies 39[illegible]w
International aid from international bodies, UK contributions 20w
Malawi, Elections 189w
Mauritius, Foreign policy 625
Nigeria, Tanks 189w
OECD Development Assistance Committee, Developing countries 391–2w
OECD Development Assistance Committee, Overseas aid 392w
Overseas aid 16, 18–9, 216–8w
Overseas aid, Defence expenditure 390w
Overseas aid, Deserts 557w
Overseas aid, Human rights 17
Overseas Development Administration, Civil service manpower 19w
Overseas Development Administration, Finance 392w
Palestinians, Overseas aid 140–1w
Passports 282w
Reproduction, Health aid 18–9w
Rwanda, Armed conflict 43–4w, 395w, 593w, 617–9, 640–1w
Rwanda, Arms trade 619
Rwanda, Food aid 389w
Rwanda, Overseas aid 17, 390w
Rwanda, World Health Organisation 390w
Somalia, World Health Organisation 393–4w
South Africa, Commonwealth 46w, 395w
South Africa, Know-how Fund 140w
South Africa, Legislature 188–9w
Uganda, Debts 18
Uganda, Overseas aid 17–8
UN Conference on Population and Development, UK delegations 18w
UN Conference on Population and Development, Voting methods 18w
UN Convention on the Law of the Sea 401–2w
United Nations, International assistance 17–8w
Wilton Park Executive Agency 596w
Wilton Park Executive Agency, Performance standards 224w
Yemen, Entry clearances 165w

Lester, Mr Jim
Debates etc.
GATT (14.06.94) 585–8, 590
Questions
European Development Fund 19–20
Rwanda, Armed conflict 613–4

Lestor, Miss Joan
Questions
Air freight transport 54–5w
International aid from international bodies, UK contributions 20w

Lewis, Mr Terry
Questions
Hospital waiting lists, Bolton General Hospital 176

Liability
Railway track 56–7w
Water abstraction 87–8w

Liberia
Peace keeping operations 42w

Licensing laws
Northern Ireland 290w

Lidington, Mr David
Questions
A41, Bypasses 524w
A41, Road traffic 524w
Business questions 757
"Code of Practice on Access to Government Information" 98w
EC law 643w
M40 667–8w

Life Assurance and Unit Trust Regulatory Organisation
Fines 353w

Life imprisonment
661w

***Lilley, Rt Hon Peter**, Secretary of State for Social Security*
Questions
Private Members' bills, Dept of Social Security 245w

Lincolnshire
Gangmasters 94–5w

Litter (Northern Ireland) Order 1994
Debates etc.
(24.05.94) 208

Liverpool
Housing action trusts 152w

***Lloyd, Rt Hon Peter**, Minister of State, Home Office*
Questions
Adams, Rolan, Homicide 268w
Ballot papers, Braille 100–1w
Ballot papers, Election administration 256w
Computer privacy 691–2w
Computer privacy, EC law 691–2w
Departmental correspondence 10w
Fine defaulters, Prison population 267–8w
Gloucester Prison, Young offenders 492w
Home Office, Ethnic minorities 496–502w
Life imprisonment 661w .
Local government elections 501w
London Church of Christ 661w
Parliamentary constituencies, Greater London 279w
Police custody 266w, 689–91w
Prison accommodation 273–5w
Prison accommodation, Prison population 276–80w
Prison accommodation, Sanitation 272–3w
Prison education services 270w
Prison escapes, Prisoner escorts 495–6w
Prison overcrowding 495w
Prison population 506–8w, 660–1w
Prison sentences, Crimes of violence 506w
Prison sentences, Homicide 502–3w
Prison sentences, Prisoners' release 508–10w
Prison staff, Manpower 163–4w, 503–5w
Prison visits 252w
Prisoners 268–9w

Lloyd, Rt Hon Peter—continued
Prisoners, AIDS 270–1w
Prisoners, Childbirth 251–2w
Prisoners, Contraceptives 101–2w
Prisoners, Drug abuse 257–8w, 265w
Prisoners, Drug crimes 252–3w
Prisoners, Handicapped 14–5w
Prisoners, HIV infection 490–2w
Prisoners, Mental health services 255w
Prisoners, Per capita costs 280–1w
Prisoners, Restraint equipment 272w, 503w
Prisoners, Sexual offences 273–4w
Prisoners, Stress management 266–7w
Prisoners, Suicide 256–7w, 269w
Prisoners' home leave 17w
Prisoners on remand 508w, 693w
Prisoners' release, Sexual offences 100w
Prisoners' transfers, Northern Ireland 251w
Prisoners' transport, Belmarsh Prison Woolwich 13–4w
Sentencing, Costs 272w
UN Convention on the Rights of the Child 692w
Young offenders 505–6w
Young offenders, Remand in custody 492w
Young offenders, West Country 690w

Lloyd, Mr Tony
Questions
Further education, Finance 508

Llwyd, Mr Elfyn
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 678–80, 713–6
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 776, 780–4, 790, 797–8, 811–2, 846–7
Questions
Adoption, Children's rights 302w
Courts, Administrative costs 406w
Crime victims, Children 662w
Forestry, Environmental impact assessment 21w
Government grants to local authorities, Wales 538–46w
Legislation, Wales 415–6w
Petroleum exploration licences, Irish Sea 417–8w
Post Office, Privatisation 420w
School buildings, Repairs and maintenance 546w
Schools, Counselling 476–7w
Vaccination, Young people 299w

Loan guarantee scheme
423–4w

Local authorities
National parks 336w
Newspaper press 95–6w

Local authority powers
Referenda 340–1w

Local enterprise companies
Land pollution 468–9w

Local government
Council of Europe 96w
Wales (15.06.94) 634–727, (16.06.94) 768–852

Local Government Act 1972
Questions
340–1w

Local Government Act 1985
Questions
340–1w

Local Government Act 1988 (Competition) (Defined Activities) (Housing Management) Order 1994
Debates etc.
(24.05.94) 307

Local Government Act 1992
Questions
95–6w

Local government buildings
Energy conservation 38w

Local government elections
501w
Local government reform 334w

Local Government Etc (Scotland) Bill 1993/94
Debates etc.
3R (24.05.94) 212–62

Local government expenditure
Council housing 84w
EC countries 157w
Scottish councils 201w

Local government finance
156–8w
Building industry 48w
Flood control 236–7w
West Midlands 236w

Local government functions
EC countries 331w

Local government reform
86w
Costs 336–7w
Employment protection 207w
Humberside 85–6w, (26.05.94) 491–8
Local government elections 334w
Redundancy 242w
Scotland 202–3w, 207w, (24.05.94) 212–62, 242w, 327, 454w, 469w
Transitional arrangements 337w
Wales 133w
Water supply industry 469w

Local government revenue
Council house sales 156w

Local government services
Contracts for services 133w, 346–8w
Road works 346w
Scotland 205w
Wales 654w

Local government social services
Independent Living 1993 Fund 39–40w

Local government staff
Redundancy pay 348–9w
Scotland 203w, 326–7
Wales 611–3w

Local Government (Wales) Bill (HL) 1993/94
Debates etc.
Rep (15.06.94) 634–727
Rep & 3R (16.06.94) 768–852
Questions
Amendments and new clauses 235w

Lockerbie
Bombings 319–20, 369w, 595w, 606–7w

London Ambulance Service
(25.05.94) 359–61

London boroughs
Tenants' incentive scheme 341–2w

London Buses
Performance standards 283w

London Church of Christ
661w

"London Making the Best Better"
333w

London News Network
3

"London the Key Facts"
125–6w

London Tilbury and Southend line
(25.05.94) 380–2

London Underground
Compensation 514w
Performance standards 283w
Safety measures 59w
Violence 59–60w

"Looking to the Future Consultation Paper"
Divorce 665–6w

Lord Chancellor's Dept
Cellular phones 149w

Lord Chancellor's Dept—continued
"Code of Practice on Access to Government Information" 621w
Consultants 149w
Private Members' bills 328w
Repetitive strain injury 329w

Lord President of the Council
Cellular phones 107w
Departmental publications 415w

Lorries
55–6w
Bridges 135w
Severn bridge 129–30w

Lost working days
288w
Mental illness 30w

Lothian Health Board
Health services 20w

Low flying
Disclosure of information 221w

Loyden, Mr Eddie
Debates etc.
House of Commons times of sittings (25.05.94) 355
Questions
Business questions 763

Luff, Mr Peter
Questions
Centre for Policy Studies, Hereford and Worcester 15
Foreign and Commonwealth Office, Cash limits 596w
Health services, Greater London 304–6w
Hereford and Worcester County Council, Educational finance 502
Water pollution, Worcester 332w

Lung diseases
Medical equipment 105w

Lyell, Rt Hon Sir Nicholas, Attorney-General
Questions
Arms to Iraq Inquiry 14
Cellular phones, Attorney General 170–2w
Centre for Policy Studies, Performance standards 15
Civil servants' business appointments, Attorney General 368w
"Code of Practice on Access to Government Information", Attorney General 327w
Consultants, Attorney General 170w, 368–70w
Crown Prosecution Service 47w
Crown prosecutors, Codes of practice 47w
De Lorean, Treasury Solicitor's Dept 327w
Departmental publications, Attorney General 368w
International Military Services, Treasury Solicitor's Dept 326w
Kennedy, Malcolm, Homicide 13
Lawrence, Stephen, Homicide 325–6w
Offshore funds, Government departments 326w
Repetitive strain injury, Attorney General 326w
Serious Fraud Office, Annual reports 170w

Lynne, Ms Liz
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (23.05.94) 22, (16.06.94) 766
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 772–3
Trade competitiveness (17.06.94) 922–3
Questions
Arts finance, North West region 1
Business questions 341
Family doctors, Home visits 170–1
Midwives 589w
Private Members' bills, Chancellor of the Duchy of Lancaster 227w
Private Members' bills, Dept for Education 315w

Lynne, Ms Liz—continued
Private Members' bills, Dept of Health 295w
Private Members' bills, Dept of National Heritage 647w
Private Members' bills, Dept of Social Security 245w
Private Members' bills, Dept of the Environment 331w
Private Members' bills, Dept of Trade and Industry 420w
Private Members' bills, Dept of Transport 509w
Private Members' bills, Foreign and Commonwealth Office 395w
Private Members' bills, Home Office 281–2w
Private Members' bills, Lord Chancellor's Dept 328w
Private Members' bills, Ministry of Agriculture Fisheries and Food 435w
Private Members' bills, Ministry of Defence 70–1w
Private Members' bills, Scottish Office 208w
Private Members' bills, Treasury 306w
Private Members' bills, Welsh Office 177w

M4
Road markings 695w
Wales 695w

M25
Environmental impact assessment 134w
Motorway service areas 572w
Road construction 666–7w
Road works 134w

M40
667–8w
A5 525w

M62
Compulsory purchase 159–60w

McAllion, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 67, 78–82, 89
Local Government Etc (Scotland) Bill, 3R (24.05.94) 252–3, 257
Questions
Business questions 764
Community care, Tayside 320–1
Crime victims, Administration of justice 403w
Cuba, Security 622
De Vries, Andrew, Homicide 512
Embassies 402w
Embassies, Costs 402w
Training, Scotland 203w

McAvoy, Mr Thomas
Questions
Glasgow Royal Infirmary NHS Trust, Conditions of employment 317
Northern Ireland government [illegible]

McCartney, Mr Ian
Questions
Ambulance services, NHS and private practice 680w, 684w
Community care 169–70
Deaf, Mental health services 687–8w
Dental services, Codes of practice 685w
Dental services, Northern Ireland 675w, 677w
Dental services, Private health services 685–6w
Dental services, Waiting lists 686w
Dentists, NHS 685w
Dentists, Northern Ireland 676–7w
Dentists, Pay 676w, 685w
Mental health services, Deaf 679w
Mental health services, Young people 677–8w, 688w
Mental hospitals, Violence 680–1w, 687w
Mental hospitals, Young people 688–9w
Mental patients 686w
Mental patients, Hospital admissions 687w
Mental patients, Hospital beds 687w
Mental patients, Hospital wards 687w

***McCartney, Mr Ian**—continued*
Mental patients, NHS and private practice 680w, 687w
Mental patients, Northern Ireland 679w
Mental patients, Secure psychiatric units 680w, 687w
Mentally ill, Young people 678–80w
Psychiatry, Doctors 679w, 686w
Psychiatry, Health service staff 679w, 686–7w

McCrea, Rev William
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 282–8
Questions
Security, Northern Ireland 744

Macdonald, Mr Calum
Questions
Ferries, Scotland 208w

Macedonia
Greece 622

McFall, Mr John
Questions
Access to countryside 326
Asthma 173
Child abuse, Scotland 458w, 604–6w
Ferries, Scotland 244w
Legal education, Scotland 455w
"Shaping the New Councils", Scotland 93w
Student grants 508

McGrady, Mr Eddie
Questions
Northern Ireland government 749
Overseas aid, Deserts 557w

***MacGregor, Rt Hon John**, Secretary of State for Transport*
Debates etc.
Railway pension orders (23.05.94) 135
Questions
Dept of Transport, Cash limits 563w
Dept of Transport, Operating costs 513w, 524–5w
Dept of Transport, Performance standards 510w
EC Transport Council 633–4w
Transport policy, Environment protection 161w

McKelvey, Mr William
Debates etc.
Handicapped, Civil rights (26.05.94) 489
Questions
Local government staff, Scotland 326–7

McKenzie, Morris
459w

Mackinlay, Mr Andrew
Questions
European parliament elections 750–1
London News Network 3
MV Lloyd Pacifico 91–2w
Railway transport, East London 56w
Technology colleges, Essex 486–7w

***Maclean, Mr David**, Minister of State, Home Office*
Questions
Alcohol and crime 161–2w
Burglary, Greater London 661–2w
Crime victims, Children 662w
Criminal injuries compensation 660w
Criminal Justice and Public Order Bill 1993/94, Sentencing 272w
Criminal Justice and Public Order Bill 1993/94, Young offenders 279w
Crown Prosecution Service 661w
Custodial treatment 258–66w
Drug abuse 99w
"Forbidden Knowledge", Compact discs 279w
Mentally disturbed offenders 662–3w
Metropolitan Police 281w
Prison population 663–4w
Prison Service Committee of Inquiry 660w

***Maclean, Mr David**—continued*
Probation committees, West Midlands 660w
Secure training centres, Costs 14w
Secure training centres, Personnel 99w
"Wheelclamping on Private Land Consultation Paper" 162w
Young offenders, Sentencing 662w

McLeish, Mr Henry
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 242, 253–6, 258
Questions
Training, Scotland 324–5

Maclennan, Mr Robert
Questions
Arms to Iraq Inquiry 14
Channel five 4
European Convention on Human Rights 369w
Gloucester Prison, Young offenders 492w
Industrial Tribunals 408w
Industrial Tribunals, Public appointments 407–8w
Prisoners, HIV infection 490–2w
Young offenders, West Country 690w

***McLoughlin, Mr Patrick**, Parliamentary Under-Secretary of State, Dept of Trade & Industry*
Questions
British Aerospace, Space technology 316w
Cable systems 629–30w
Coal Research Establishment, Investment 317–8w
Company disclosure of information, Rain forests 117w
Copyright Tribunal 315–6w
EC Energy Council 422w
Environment protection, Disclosure of information 631w
Loan guarantee scheme 423–4w
Patent Office 115w
Plugs and sockets, Harmonisation of standards 173w, 629w
Post Office 324–5w
Post Office, Privatisation 420w
Postal services, Blind 630w
Postal services, VAT zero rating 630w
Pyramid selling 321w
Research finance 116w
Research finance, Industrial research 116–7w
Research finance, Small businesses 117w
Royal Mail, Privatisation 325w
Secondhand cars, Consumer protection 316w
System X exchanges, Exports 422w
Tobacco, Fire prevention 318w
Trade competitiveness, Environment protection 422–3w
Trade competitiveness, Small businesses 423w

McMaster, Mr Gordon
Debates etc.
Access to Parliament, Points of order (23.05.94) 23
Child Support Agency (25.05.94) 378–9
Questions
Child Support Agency, Members' correspondence 681w
Economic situation, Scotland 205w
Gilmour, Raymond, Criminal appeals 465–7w, 658w
Miscarriages of justice, Scotland 468w
Rape, Trials 463–5w

McNamara, Mr Kevin
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 269–75, 289, 303
Questions
"Forbidden Knowledge", Compact discs 279w
Housing, Construction costs 238w
Police, Northern Ireland 745

***McNamara, Mr Kevin**—continued*
Royal Ulster Constabulary, Employment discrimination 200–1w
Sinn Fein, Terrorism 742
Trans-European networks, Roads 284w

MacShane, Mr Denis
Debates etc.
GATT (14.06.94) 541–5, 550–1, 600
Questions
Education, Rotherham 507
Italy, Intergovernmental Conference 1996 113w

Madden, Mr Max
Debates etc.
GATT (14.06.94) 524
Trade competitiveness (17.06.94) 922–3
Questions
Business questions 340–1
Civil Rights (Disabled Persons) Bill 1993/94 371w
Diplomatic service, Badges 674w
Immigrant detainees, Airlines 16–7w
Immigration applications 674w
Menwith Hill 533–4w
Muslim Girls Community School Bradford, Voluntary schools 46–7w, 488w
Political refugees, Immigration applications 693–4w
RAF Chicksands 534w
RAF Chicksands, Arrests 533w
RAF Molesworth, Military intelligence 532–3w
"Travel Information Manual" 694w
Travelling people, Bradford 241w

Maddock, Diana
Questions
Coastal protection 87w
Marine nature reserves 87w

Maginnis, Mr Ken
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 287
Questions
Integrated schools, Northern Ireland 747–8

Magistrates' courts
Belmarsh 5w

Mahon, Mrs Alice
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 31–3, 38
Questions
Adult education 485w
Income support, Part-time education 361w
Student grants 369w, 484w

Maintenance
Children 104w, 190–2w, 246–7w, 249w, 580–1w

Maitland, Olga
Civil Rights (Disabled Persons) Bill 1993/94 (25.05.94) 342

Maitland, Lady Olga
Debates etc.
GATT (14.06.94) 559–64
Questions
Air accidents, Helicopters 737–8
Cross border cooperation in Ireland, Security 650w
Grant maintained schools 505
Hospital waiting lists, Out-patients 119w

***Major, Rt Hon John**, Prime Minister, First Lord of the Treasury and Minister for the Civil Service*
Questions
Administration of justice 751
Begging 371w
Broadcasting controls, Northern Ireland 180
Cabinet, Ministerial changes 752–3
Cabinet Office, Cash limits 566w
Cellular phones, Prime Minister 1w
Child Support Agency 177

Major, Rt Hon John—continued
Civil Rights (Disabled Persons) Bill 1993/94 179–80, 371w
Civil servants' business appointments, Prime Minister 371–2w
Climate change convention 370–1w
"Code of Practice on Access to Government Information", Prime Minister 369w
Council of Ministers, Voting methods 179
Crime prevention 515–6
De Vries, Andrew, Homicide 512
Distilling industry, Scotland 180–1
Eastern Europe, Insurance 371–2w
EC countries, Politics and government 370w
EC integration, Referenda 566w
EC labour policy 514
EC law 288–9w
European Commission 753–4
European communities 177–8
European Convention on Human Rights 369w
European parliament elections 750–1
Falkland Islands, Prosecutions 513–4
Fascism, European communities 289w
Festivals and special occasions, D-Day landings 2w
Festivals and special occasions, World War II 2w
Handicapped, Equal opportunities 289w
Immigration rules 180
Iraq, Human rights 631w
Iraq, Water supply 289w
Kock, Stephan, Government departments 102w
Lockerbie, Bombings 369w
National Union of Rail Maritime and Transport Workers, Industrial disputes 512, 749
NHS administration 752
Occupational pensions 751
Official engagements 103w, 288w, 370w, 631w
Parliamentary private secretaries 2–4w
Peace negotiations, Northern Ireland 178–9
Post Office, Privatisation 102w, 370w
Preston, Peter, Departmental correspondence 370w
Prime Minister's questions 514
Prince of Wales, Income tax 1–2w
Railtrack, Pay 752
Repetitive strain injury, Prime Minister 2w
Rutland County 752
Student grants 369w
Taxation 749–50
10 Downing Street, Finance 566w
Thatcher, Margaret, Australia 289w
Thatcher, Margaret, Indonesia 102–3w
Thatcher, Margaret, Jordan 158w
Thatcher, Margaret, Malaysia 289w
Thatcher, Margaret, Ministers' visits abroad 103w
Thatcher, Margaret, Thailand 103w
Unemployment 515–6
VAT, Energy prices 177–8, 512–3
Wena Hotels, Egypt 288w

Mak, Foon Than Drax
Hong Kong 397–8w

Making Belfast work programme
648w
Further education 588w

Malawi
Democracy 189w
Elections 189w

Malaysia
Arms trade 531w
Criminal investigation 400–1w
Defence Export Services Organisation 531w
Thatcher, Margaret 289w

Mallon, Mr Seamus
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 276, 278–82, 286, 296

Mallon, Mr Seamus—continued
Questions
Anglo-Irish Intergovernmental conference 738

Management consultants
Chancellor of the Duchy of Lancaster 225w

Mandelson, Mr Peter
Questions
Business questions 757
Congenital abnormalities, Research 296w
GP fundholders, Private health services 172

Mans, Mr Keith
Questions
Heathrow Airport, Air traffic 523–4w
Overseas investment 596w
Tourism, Blackpool 9
Truancy 474w

Manufacturing industries
Manpower 603w
Productivity 319w
Redundancy 603w
Scotland 204w
Trade competitiveness 629w

Marconi
Space technology 316w

Marek, Dr John
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 634–9, 667–8
Questions
Low flying, Disclosure of information 221w
Osteoporosis 376–7w
Repetitive strain injury, Attorney General 326w
Repetitive strain injury, Dept of Employment 166–7w
Repetitive strain injury, Dept of Health 209w
Repetitive strain injury, Dept of National Heritage 185w
Repetitive strain injury, Dept of Social Security 192w
Repetitive strain injury, Dept of the Environment 151w
Repetitive strain injury, Dept of Trade and Industry 172w
Repetitive strain injury, Dept of Transport 57w
Repetitive strain injury, Foreign and Commonwealth Office 112w
Repetitive strain injury, Home Office 163w
Repetitive strain injury, Lord Chancellor's Dept 329w
Repetitive strain injury, Ministry of Agriculture Fisheries and Food 147–8w
Repetitive strain injury, Ministry of Defence 219w
Repetitive strain injury, Northern Ireland Office 200w
Repetitive strain injury, Prime Minister 2w
Repetitive strain injury, Scottish Office 206w
Repetitive strain injury, Treasury 178w

Marginal land
144–8w
Arable area payments scheme 698–9w
EC countries 673w
Tenant farmers 673w
Wales 546–8w

Marine nature reserves
87w

Market research
Scottish Office 22w

"Markets in Transition"
599–600w

Marland, Mr Paul
Questions
Milk, Agricultural marketing 644–6w
Prisoners, Per capita costs 280–1w

Marlow, Mr Tony
Questions
EC internal relations 45w
Economic and monetary union 616

Marriage Bill 1993/94
Debates etc.
1R (15.06.94) 630

Marriage of convenience
253w
Immigration (European Economic Area) Order 1994 100w

Married women
Employment 409w

Marshall, Mr David
Questions
Drug abuse, Scotland 322
Health and Safety Executive 49w
Hooliganism, Public service vehicles 242w
Insurance companies 420–1w
Life Assurance and Unit Trust Regulatory Organisation, Fines 353w
Local enterprise companies, Land pollution 468–9w
Personal Investment Authority 351–2w

Marshall, Mr Jim
Questions
Northern Ireland government 291w

Marshall, Mr John
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (23.05.94) 21
Cyprus (26.05.94) 420–3
Questions
Arts sponsorship 4–5
Burglary, Greater London 661–2w
Buses, Road safety 515w
Israel, Arms embargoes 224w
Middle East, Peace negotiations 595w
Road construction, Land acquisition 134–5w
Royal Free NHS Trust, Geriatric patients 121w
Student loans 500
Unemployment, Northern Ireland 291w

Marshall Plan of the Mind
10–1

Martin, Mr David
Questions
Air pollution control, Sulphur dioxide 154–6w
Armed forces, Food 621w
Dearing Review 472w

Martin, Mr Michael J
Questions
Millbank, Satellite broadcasting 106w
Palace of Westminster, Day care of children 106w
Scottish Homes 318–9

Martlew, Mr Eric
Questions
Bosnia-Herzegovina, Foreign policy 622

Mass media
Ownership 79w
Privacy 81w

Maternal mortality
383–6w

Maternity services
Childbirth 303–4w

Mathematics education
587w

Mature students
Student numbers 138w

Mauritius
Foreign policy 625

Mawhinney, Rt Hon Brian, Minister for Health
Questions
Accident and emergency departments, Trent Regional Health Authority 209w

Mawhinney, Rt Hon Brian—continued
Advisory Committee on NHS Drugs, Public appointments 589w
Cancer, Medical research 212w
Dental services 32w, 301–2w
Dental services, Codes of practice 685w
Dental services, Leeds 120–1w
Dental services, NHS 31–2w
Dental services, Private health services 685–6w
Dental services, Waiting lists 686w
Dentists, NHS 685w
Dentists, Pay 685w
Deprivation indicators, Greater London 213w
District health authorities, Executives 300w
District health authorities, Expenditure 294–5w, 305w
District health authorities, Mergers 36w
Doctors, South Yorkshire 124w
Doctors, Working hours 209w
Doctors' list of patients, Departmental correspondence 301w
Epsom Health Care NHS Trust, Pay 383w
Eye tests 303w, 589–90w
Family doctors, Contracts of employment 170
Family doctors, Ethnic minorities 377w
Family doctors, Home visits 170–1, 376w
Family doctors, Recruitment 623w
Family doctors, Stress related illnesses 623w
Family health services authorities, Expenditure 373w
Family health services authorities, Patient's Charter 300w
GP fundholders 175–6, 214w
GP fundholders, Clinical psychologists 300w
GP fundholders, Greater London 34w
GP fundholders, Performance standards 37w
Guy's Hospital, Breast cancer 123w
Health authorities, Executives 378w
Health authorities, Expenditure 624–5w
Health authorities, Finance 296w
Health service staff 590w
Health service staff, Disciplinary proceedings 379w
Health service staff, Manpower 587w
Health service staff, Older workers 294w, 304w
Health service staff, Opposition parties 119w
Health service staff, Pay settlements 383–4w, 590w
Health service staff, Redundancy 36w
Health services, Administrative costs 373w
Health services, Age discrimination 32w
Health services, Greater London 304–6w
Health services, South Yorkshire 294–5w
Help us to help you campaign 121w
Hospital admissions 176–7
Hospital consultants, Cancer 295w
Hospital consultants, Disciplinary proceedings 210w
Hospital consultants, Merit awards 375w
Hospital consultants, Pensions 213w
Hospital consultants, Vacancies 587–8w, 592w
Hospital waiting lists 300w, 388w
Hospital waiting lists, Costs 590w
Hospital waiting lists, Out-patients 119w, 122w
Hospital waiting lists, Patient's Charter 299–300w
Hospital waiting lists, Surgery 33w
Hospital wards, Women 303w
Hospitals, Greater London 215w
Hospitals, Medical treatments 35w
Hospitals, Ministers' domestic visits 380w
Hospitals, Performance standards 121w
International Court of Justice, Nuclear weapons 378–9w
Junior hospital doctors, Working hours 120w
Medical research, Expenditure 208–9w
Medical research, Research finance 35w, 215–6w

Mawhinney, Rt Hon Brian—continued
NHS, Ethnic minorities 377w
NHS, Performance standards 36w
NHS finance 372–3w
NHS trusts, Consultants 384w
NHS trusts, Executives 175
NHS trusts, Nottinghamshire 214–5w, 374–5w
NHS trusts, Pay 174–5
Nurses, Manpower 175
Nurses, Prescriptions 35w
Openness in the NHS Steering Group 209w
Paediatrics, Greater London 214w
Patient participation 297w
Prescriptions 379w
Primary health care, Expenditure 33w
Regional health authorities, Manpower 689w
Regional health authorities, Public appointments 296–7w
Royal Free NHS Trust, Geriatric patients 121w
Surgery, Eye disorders 623w
Surgery, Screening 297w
Tobacco advertising, Health hazards 301w

Maxton, Mr John
Questions
Sports, Scotland 205w

Maxwell companies
Pension funds 193w

May Committee
see Prison Service Committee of Inquiry

***Mayhew, Rt Hon Sir Patrick**, Secretary of State for Northern Ireland*
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 263–9, 287
Questions
Air accidents, Helicopters 737–8
Anglo-Irish Intergovernmental conference 738
Anglo-Irish Intergovernmental conference, Disclosure of information 737
Anglo-Irish talks 744–5
Bill of Rights, Northern Ireland 294w
Cross border cooperation in Ireland, Security 649–50w
Exclusion orders, Northern Ireland 292w
IRA, Terrorism 741–2
Northern Ireland government 292w, 648–9w
Police, Northern Ireland 745
Security, Northern Ireland 744
Sinn Fein, Anglo-Irish talks 741
Sinn Fein, Northern Ireland government 741
Sinn Fein, Terrorism 742

Meacher, Mr Michael
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 45, 46–9
Questions
Chichester, Giles 674w
Kock, Stephan, Government departments 102w
Tax rates and bands 180–2w
Water pollution, EC law 340w

Meale, Mr Alan
Questions
Animal experiments, Licensing 162w, 164w
Animal welfare 436–7w, 440w
Export of live animals 436–9w
Slaughterhouses, Animal welfare 440w
Slaughterhouses, Food labelling 440w
Slaughterhouses, Horses 440w
Veterinary services, Inspections 438–9w
Vocational training, Slaughterhouses 287w

Medical education
585w
University teachers 488w

Medical equipment
Lung diseases 105w

Medical equipment—continued
Product safety (15.06.94) 728–36

Medical examinations
Incapacity benefit 365w

Medical malpractice
Personal injury 5w

Medical research
Cancer 212w
Coxsackie virus 458w
Expenditure 208–9w
Necrotising fasciitis 433–4w
Northern Regional Health Authority 296w
Research finance 35w, 215–6w

Medical treatments
Cancer 31–3w
Fertility 622–3w
Hospitals 35w
NHS internal market 33w

Meigle Cottage Hospital
320

Members' conduct
Bottomley, Virginia (25.05.94) 359–61
Speaker's rulings and statements (25.05.94) 342

Members' correspondence
Child Support Agency 681w

Members' oath and affirmation
Chidgey, David (14.06.94) 517
Church, Judith (14.06.94) 517
Hodge, Margaret (14.06.94) 517
Sutcliffe, Gerry (14.06.94) 517
Timms, Stephen (14.06.94) 517

Men
Employment 408–9w
Unemployment 410w

Mental Health Act 1983
Questions
123w

Mental health services
Deaf 679w, 687–8w
Expenditure 30–1w
Northern Ireland 677–9w
Prisoners 255w
Scotland 92w, 241–2w
Young people 677–8w, 688w

Mental hospitals
Northern Ireland 680–1w
Violence 680–1w, 687w
Young people 688–9w

Mental illness
Lost working days 30w

Mental patients
686w
Hospital admissions 687w
Hospital beds 687w
Hospital wards 687w
NHS and private practice 680w, 687w
Northern Ireland 679–80w
Respite care 168–9
Secure psychiatric units 680w, 687w

Mental Welfare Commission for Scotland
94w

Mentally disturbed offenders
662–3w

Mentally handicapped
Disability living allowance 367–8w

Mentally ill
Disability living allowance 367–8w
Northern Ireland 678–80w
Young people 678–80w

Menwith Hill
533–4w

Merchant seamen
523w

Mergers
District health authorities 36w
NHS trusts 20–2w

Merit awards
Hospital consultants 375w

Merseyside
BC grants and loans 418w
Government assistance (26.05.94) 430–8

Metrication
Road signs 668w

Metropolitan Police
163–4w, 265–6w, 281w
Police firearms (16.06.94) 861–8

Michael, Mr Alun
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 688–91, 693–8, 705
Questions
Prisoners, Restraint equipment 272w, 503w

Michie, Mr Bill
Debates etc.
Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 (25.05.94) 394–7

Michie, Mrs Ray
Questions
Drug abuse, Scotland 322
Scottish Ambulance Service 201–2w

Middle East
Peace negotiations 595w, 627–8

Midwives
589w
Manpower 590–1w

Migration
557–8w

Milburn, Mr Alan
Questions
Alcohol and crime 161–2w
Alcoholism, Health hazards 124w
Civil servants' business appointments, Attorney General 368w
Civil servants' business appointments, Chancellor of the Duchy of Lancaster 565–6w
Civil servants' business appointments, Dept for Education 489w
Civil servants' business appointments, Dept of Employment 414w
Civil servants' business appointments, Dept of Health 380w
Civil servants' business appointments, Dept of National Heritage 646–7w
Civil servants' business appointments, Dept of Social Security 364–5w
Civil servants' business appointments, Dept of the Environment 343w
Civil servants' business appointments, Dept of Trade and Industry 423w
Civil servants' business appointments, Dept of Transport 525w
Civil servants' business appointments, Foreign and Commonwealth Office 642w
Civil servants' business appointments, Ministry of Agriculture Fisheries and Food 574w
Civil servants' business appointments, Ministry of Defence 532w
Civil servants' business appointments, Prime Minister 371–2w
Civil servants' business appointments, Scottish Office 472w
Civil servants' business appointments, Treasury 560w
Civil servants' business appointments, Welsh Office 554w
Computers in National Health Service 385w
Consultants, Attorney General 368–70w
Consultants, Dept of the Environment 97w
Consultants, Dept of Trade and Industry 428–9w
District health authorities, Expenditure 305w
Hospital consultants, Vacancies 587–8w, 592w
NHS trusts 295w
NHS trusts, Finance 36–7w, 305w

Military aircraft
110w, 220w

Military exercises
Botswana 218–9w
English Channel 161w
Fishing vessels 233–4w

Military intelligence
RAF Molesworth 532–3w

Milk
Agricultural marketing 141–2w, 644–6w, 672w
EC action (24.05.94) 307

Millbank
Satellite broadcasting 106w

Miller, Mr Andrew
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 35–7, 56, 59, 85–6, 106–7
Questions
Yemen, Refugees 254w, 396–7w

Mills, Mr Iain
Debates etc.
Trade competitiveness (17.06.94) 876, 897–900
Questions
Criminal Justice and Public Order Bill 1993/94, Young offenders 279w
Mobile homes, Landlord and tenant 332w

Mine safety
579w

Mines
Arms trade 400w

Minibuses
Licensing 668–9w
Safety belts 54w, 285w

Ministerial changes
Cabinet 752–3

Ministerial duties
Environment protection 152w

Ministerial statements
Education (24.05.94) 197–207
Trade competitiveness (24.05.94) 183–96
Training (24.05.94) 197–207

Ministers
Pay 107w

Ministers' domestic visits
Hospitals 380w
Ogwr 554w

Ministers' visits abroad
Cyprus 404w
Ministry of Agriculture Fisheries and Food 673w
Thatcher, Margaret 103w

Ministry of Agriculture Fisheries and Food
Cellular phones 309w
Civil servants' business appointments 574w
"Code of Practice on Access to Government Information" 439–40w
Consultants 69w
Departmental publications 572–3w
Ministers' visits abroad 673w
Private Members' bills 435w
Repetitive strain injury 147–8w

Ministry of Defence
Civil servants' 220w
Civil servants' business appointments 532w
"Code of Practice on Access to Government Information" 528w
Consultants 527–8w
Departmental publications 536–7w
Doncaster 52–3w
Private Members' bills 70–1w
Repetitive strain injury 219w

Ministry of Defence police
(26.05.94) 450–60, 535w
Manpower 535w

Minx programme
527w

Miscarriages of justice
Scotland 468w

Mitchell, Mr Austin
Questions
Apprentices 412–4w
Begging 371w
Companies, Profits 626w
Company investigations 76–8w
Dept of Trade inquiries 114–6w
Dunlop, Company investigations 172–3w
Euroseas Securities, Company investigations 77w
Exchange rates 354w
Exchange rates, Exports 627w
Government securities 560w
Industrial production 602w
Industrial production, Trade competitiveness 603w
International Court of Justice, Nuclear weapons 378–9w, 405–6w
Local government reform 86w
Local government reform, Humberside 85–6w
Manufacturing industries, Manpower 603w
Manufacturing industries, Redundancy 603w
Manufacturing industries, Trade competitiveness 629w
Northern Ireland government 649w
Plugs and sockets, Harmonisation of standards 629w
Security, Dept for Education 585w
Security, Dept of National Heritage 670w
Security, Dept of the Environment 632w
Security, Dept of Trade and Industry 669w
Security, Foreign and Commonwealth Office 643w
Security, Northern Ireland Office 675w
Security, Treasury 626w
Security, Welsh Office 695w
Shipping registration 159w
World Health Organisation, Nuclear weapons 405w

Moate, Sir Roger
Questions
Visegrad countries, EC integration 593w

Mobile homes
Landlord and tenant 332w

Mobile Homes Act 1983
Questions
332w

Mobility of disabled
EC action 526w
Road tax 526w

Molyneaux, Rt Hon James
Questions
Security, Northern Ireland 742–3

Monklands East
By election writs (14.06.94) 499

***Monro, Sir Hector**, Parliamentary Under-Secretary of State, Scottish Office*
Questions
Arable area payments scheme, Scotland 462w
Chapelcross power station 208w
Forestry, Environmental impact assessment 21w
Ionizing radiation, Scotland 207–8w
Local government reform, Scotland 454w
National parks, Scotland 463w
River Tay, Fishing 206w
Scottish Advisory Group on Sustainable Development, Public appointments 607–8w
Scottish Environment Protection Agency 204w
Sheep premiums, Scotland 694w
Sports, Scotland 205w
Sports facilities, Scotland 204w
Water supply industry, Local government reform 469w

Montgomery, Sir Fergus
Debates etc.
Housing associations (25.05.94) 369–71
Questions
National Lottery 82w

Moonie, Dr Lewis
Questions
Medical education 585w

Morgan, Mr Rhodri
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 672–5
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 769–75, 778, 786–91, 793–4, 799–801, 803–4, 826–8, 834–9, 841
Welsh Development Agency, Points of order (16.06.94) 766
Questions
Airwork, Defence contracts 233w
Dearing Review 137–8w
Dearing Review, Wales 133w
Defence contracts 233w
General certificate of secondary education, Wales 132–3w
Hospices, Wales 551w
Local Government (Wales) Bill (HL) 1993/94, Amendments and new clauses 235w
Parliamentary Counsel, Private Members' bills 106–7w, 166w
Public service pensions 352w
Road traffic control, Cardiff 133w

Morley, Mr Elliot
Debates etc.
GATT (14.06.94) 582–4, 598
Local government reform, Humberside (26.05.94) 492, 495
Questions
Crown Estate Commissioners, Royalties 349w
Drift nets, France 143w
Pets, Identification 280w
Pupil exclusions 585–6w

Morocco
Ferries 55w, 516w

Morris, Rt Hon Alfred
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (23.05.94) 21
Civil Rights (Disabled Persons) Bill (25.05.94) 346–9
Handicapped, Civil rights (26.05.94) 485, 489
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 770–1
Official Report, Points of order (23.05.94) 21
Questions
AIDS, Dementia 683w
AIDS, Hospital beds 683w
AIDS, Nurses' training 683–4w
Festivals and special occasions, D-Day landings 2w
Health services, Equal opportunities 34–5w
Income tax, Disabled workers 359–60w
Residential care, Hospital beds 683w

Morris, Ms Estelle
Questions
Teacher training, Schools 510
Teacher Training Agency, Public appointments 171w, 479w

Morris, Rt Hon John
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 652–5, 679
Questions
Arms to Iraq Inquiry 14

Moss, Mr Malcolm
Debates etc.
A47, Road works (23.05.94) 156–61
Questions
Sixth form education, Schools 511

Moss, Mr Malcolm—continued
Special Operations Executive, Public records 596w

Motor vehicle registration
Disclosure of information 522w
Handicapped 522w
Northern Ireland 650w
Retail trade 523w
Road tax 521–2w

Motorway service areas
M25 572w

Mowlam, Ms Marjorie
Questions
D-Day landings, Festivals and special occasions 70w, 98w, 108w, 221–2w
Historic Royal Palaces Agency, Income 185w
National Lottery 10, 452w
Road works, Telephone services 51–2w
Sports Council, National Lottery Distribution Fund 81w

Mudie, Mr George
Questions
Dept of Employment, Computer applications 167w
Dept of Employment, Computers in Government departments 167w
Palace of Westminster, Day care of children 229w

Mukasa, Richard
Immigrant detainees 675w

Mullin, Mr Chris
Questions
Armed forces officers, Fringe benefits 534w
Hospital consultants, Merit awards 375w
Kennedy, Malcolm, Homicide 13
Mass media, Ownership 79w
Prison Service Committee of Inquiry 660w
Tape recorded evidence, Northern Ireland 745–6

Multiple sclerosis
Incapacity benefit 49–50w, 193–4w
Wales 177w

Murphy, Mr Paul
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 704–6, 726–7
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 821–3, 825–6, 828–30

Museums and galleries
80w, 183w
Road transport 184w

Muslim Girls Community School Bradford
Voluntary schools 46–7w, 488w

Mutual recognition of qualifications
Free movement of labour 166w

MV Lloyd Pacifico
91–2w

Myalgic encephalomyelitis
Conferences 213w
Early retirement 376w

Myasthenia gravis
376w

National Coal Board
see British Coal Corporation

National Council for One Parent Families
Government grants 41w

National debt
625–6w

National Environmental Technology Centre
75w
Consultants 172w

National Finance
see Treasury

National income
Nationalised industries 355w

National insurance contributions
354w
Juries 245w

National Lottery
10, 12, 82w, 452w

National Lottery Distribution Fund
Sports Council 81w

National Museum of Science and Industry
see Science Museum

National parks
Local authorities 336w
Scotland 463w
Wales 549–50w

National Railway Museum
78w, 185w

National Rivers Authority Advisory Committee for Wales
Annual reports 698w

National Union of Rail Maritime and Transport Workers
Industrial disputes 512, 517w, 749

National vocational qualifications
Northern Ireland 197–9w

Nationalised industries
National income 355w

Nationality
Prisoners 252–3w

NATO
Nuclear non proliferation 528w

Natural gas
Petrol alternatives 153w

Nature Conservancy Council for England
Countryside Commission 631w

Nature conservation
Cetaceans 429w
EC law 239w
Whales 69–70w

Nature reserves
Somerset levels 338–9w

Navy strength
565w

Necrotising fasciitis
171–2
Medical research 433–4w

***Needham, Rt Hon Richard**, Minister for Trade*
Questions
Arms trade, Developing countries 318w
EURATOM, USA 319w
GATT, Disputes procedures 321–3w
GATT, EC law 322w
GATT, Hazardous wastes 317w
GATT, UK contributions 323w
Imports, China 77w
Industrial production 602w
World Trade Organisation, Disputes procedures 322–3w

***Nelson, Mr Anthony**, Economic Secretary to the Treasury*
Debates etc.
O'Byrne/Patrick (14.06.94) 605–10
Questions
Average earnings 626–8w
Cheltenham and Gloucester Building Society, Takeovers 308w
Civil servants' business appointments, Treasury 560w
"Code of Practice on Access to Government Information", Treasury 353w
Companies, Profits 626w
Consultants, Treasury 349–51w
Debts, Developing countries 8w
Departmental publications, Treasury 355w
Exchange rates 354w
Exchange rates, Exports 627w
Government securities 355w, 560w
Industrial investment 429w

Nelson, Mr Anthony—continued
Inheritance tax, Agricultural land 9w
Life Assurance and Unit Trust Regulatory Organisation, Fines 353w
Local government expenditure, EC countries 157w
National debt 625–6w
National income, Nationalised industries 355w
Personal income 353w
Personal Investment Authority 351–2w
Repetitive strain injury, Treasury 178w
Security, Treasury 626w
Taxation, Economic situation 560w

Neubert, Sir Michael
Questions
English education 472–3w
Inner city areas, Capital investment 88w
Mass media, Privacy 81w
Rwanda, Armed forces deployment 594w

New Zealand
Armed forces deployment 531w

Newspaper press
Local authorities 95–6w

***Newton, Rt Hon Tony**, Lord President of the Council and Leader of the House of Commons*
Debates etc.
House of Commons times of sittings (25.05.94) 352–3
Recess motions (25.05.94) 385–7
Questions
Business questions 336–42, 756–65
Business statements 335–6, 755
Cellular phones, Lord President of the Council 107w
Departmental publications, Lord President of the Council 415w
Intelligence and Security Committee 229–30w
Legislation, Wales 415–6w
Ministers, Pay 107w
Parliamentary Counsel, Private Members' bills 106–7w, 166w, 230w
Private Members' bills, Amendments and new clauses 230w

NHS
Audit 122w
Cars 215w
Complaints 606w
Dental services 31–2w
Dentists 685w
Disclosure of information 209w
Ethnic minorities 377w
Information services 301w
Performance standards 36w
Private investment 124–6w
Property transfer 377w
Scotland 204w, 606w
Telephone services 301w

NHS administration
752

NHS and private practice
Ambulance services 680w, 684w
Mental patients 680w, 687w

NHS Executive
Finance 380w

NHS finance
121–2w, 372–3w
North West region 2
Wales 131–2w

NHS internal market
304w
Medical treatments 33w
Northern Ireland 747
Prosthetics 654w

NHS Pensions Agency
376w

NHS trusts
295w
Cars 462w
Consultants 384w
Contracts for services 210w

NHS trusts—continued
Contracts of employment 243–4w
Disclosure of information 21w
Executives 175
Finance 36–7w, 305w
Health visitors 614w
Mergers 20–2w
Northern region 295w
Nottinghamshire 214–5w, 374–5w
Pay 167–8, 174–5
Private patients 303w
Scotland 21w, 205w, 243–5w, 317–8, 463w
Scottish Ambulance Service 202w, 456–7w
Suffolk 120w
Wales 132w

Nicholls, Mr Patrick
Questions
EC labour policy 514
Philippines, Foreign relations 595w
Railway track, Liability 56–7w

Nicholson, Mr David
Debates etc.
Child Support Agency (26.05.94) 440–1
Economic policy (25.05.94) 361–6
Housing associations (25.05.94) 369
Questions
Company disclosure of information, Rain forests 117w
Know-how Fund 217w
Loan guarantee scheme 423–4w
Malawi, Elections 189w
Railway freight transport 282w
Trade competitiveness, Small businesses 423w

Nigeria
Tanks 189w

NIREX
see United Kingdom NIREX

Noise
567w

Noise control
Gun sports 150w
Railway network 133w

Non-departmental public bodies
Chancellor of the Duchy of Lancaster 226–7w
Northern Ireland Office 197–8w
Parliamentary Commissioner for Administration 453w
Scotland 202w, 453w

Non-domestic rates
Appeals 95w

Non-teaching staff
Kent 137w
Training 489w

***Norris, Mr Steve**, Parliamentary Under-Secretary of State, Dept of Transport*
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 37–9, 58
Questions
Air freight transport 54–5w
Antifouling paint 517w
Central line, Power failures 518–9w
Civil servants' business appointments, Dept of Transport 525w
"Code of Practice on Access to Government Information", Dept of Transport 514–5w
Consultants, Dept of Transport 512–4w
Departmental publications, Dept of Transport 524w
Dept of Transport, Dismissal 56w
Dept of Transport, Redundancy 526–7w
Ferries, Spain 55w, 516w
Heathrow Airport, Air traffic 523–4w
Jubilee line, Construction costs 60w
Jubilee line, Employment opportunities 523w, 638w
King's Cross Fire Inquiry, Railway safety 59w, 519–20w

Norris, Mr Steve—continued
London Underground, Compensation 514w
London Underground, Performance standards 283w
London Underground, Safety measures 59w
London Underground, Violence 59–60w
Merchant seamen 523w
Ministry of Defence, Doncaster 52–3w
Ports, Privatisation 517w
Pregnant women, Industrial health and safety 511–2w
Private Members' bills, Dept of Transport 509w
RAF Northolt 160w
RAF Northolt, Air transport 519w
Railway stations, Greater London 57w
Railway transport, East London 56w
Repetitive strain injury, Dept of Transport 57w
Road construction, Civil servants' business appointments 523w, 526w
Shipping, Research finance 518w
Shipping registration 159w
Tanker ships, Skomer Island 57–8w

North Atlantic Treaty Organisation
see NATO

North Down
Crime 744

North Korea
Nuclear reactors 186w
Nuclear safeguards 186w
Nuclear weapons 626

North West region
Arts finance 1
Hospital admissions 176
NHS finance 2

North Yorkshire
Housing Corporation 83w

North Yorkshire Training and Enterprise Council
Administrative costs 410–1w

Northern Ireland
Abortion 200w
Ambulance services 680w
Arable area payments scheme 448–50w
Bill of Rights 294w
Broadcast journalism 293w
Broadcasting 738–9
Broadcasting controls 180
Cancer 290–1w
Companies 199w
Council housing 650w
Crime 292w
Dental services 675w, 677w
Dentists 676–7w
Driving licences 447–8w
Emergency powers (24.05.94) 263–307
Exclusion orders 292w
Family planning 292w
Foreign investment in UK 294w, 650w
Health visitors 444–6w
Horses 648w
Hospital waiting lists 588w
Housing Association Tenants' Ombudsman 450w
Integrated schools 650w, 747–8
Licensing laws 290w
Mental health services 677–9w
Mental hospitals 680–1w
Mental patients 679–80w
Mentally ill 678–80w
Motor vehicle registration 650w
National vocational qualifications 197–9w
NHS internal market 747
Nurses' 444–6w
Nurses' training 445w
Outdoor education 293w
Peace negotiations 178–9
Planning inquiries 445–6w
Police 745
Prisoners' transfers 251w
Psychiatry 679w
Road tax 361w
Road tolls 197w
Schools 447w
Sea transport 746–7

Northern Ireland—continued
Security 292w, 742–4
Self-employed 199w
Slaughterhouses 195–6w
Social security abuse 291w
Special education 449w
Tape recorded evidence 745–6
Terrorism 448w
Training 197–9w
Unemployment 291w

Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994
Debates etc.
(24.05.94) 263–307

Northern Ireland government
291–2w, (26.05.94) 469–75, 648–9w, 739–41, 748–9
IRA 741
Sinn Fein 741

Northern Ireland health and social services trusts
194w

Northern Ireland Housing Policy Advisory Group
Public appointments 198w

Northern Ireland Office
Cash limits 200w
Cellular phones 194w
"Code of Practice on Access to Government Information" 448w
Consultants 446w, 450–2w
Departmental publications 450w
Non-departmental public bodies 197–8w
Open government 649w
Repetitive strain injury 200w
Security 675w

Northern Ireland Pre-School Playgroups Association
Training 293w

Northern region
NHS trusts 295w

Northern Regional Health Authority
Medical research 296w

Norway
Whales 69w

Nottingham
Air pollution monitoring 632w

Nottinghamshire
NHS trusts 214–5w, 374–5w

Nottinghamshire Family Health Services Authority
Family practitioner services 297w

Nuclear accidents
THORP 602w

Nuclear fuel reprocessing
333w
THORP 428w

Nuclear Industry Radioactive Waste Executive
see United Kingdom NIREX

Nuclear non proliferation
NATO 528w

Nuclear reactors
North Korea 186w

Nuclear safeguards
North Korea 186w

Nuclear submarines
Transport of radioactive materials 535w

Nuclear test ban
536w

Nuclear weapons
536w
France 110w
International Court of Justice 378–9w, 405–6w
Iraq 185–6w
North Korea 626
World Health Organisation 378–9w, 405w

Nuclear weapons tests
Compensation 107–8w
Exservicemen 231w
Eye disorders 107w
Health hazards 231w

Nurses
Ethnic minorities 30w
Manpower 175, 590–1w
Northern Ireland 444–6w
Prescriptions 35w
Scotland 457w, 604w
South Yorkshire 124w
Wales 614w

Nurses' training
125–6w
AIDS 683–4w
Northern Ireland 445w
Scotland 457w
Wales 651–2w

Nursing homes
623–4w
Wales 615w

Nuts
Allergies 182w

O'Brien, Mr Mike
Questions
Police, Management 281w
Pre-school education 473w
Road construction, Construction materials 158–9w

O'Brien, Mr William
Questions
Broadcasting, Northern Ireland 738–9
Debts, Developing countries 8w
Northern Ireland health and social services trusts 194w
Northern Ireland Housing Policy Advisory Group, Public appointments 198w
Nuclear weapons tests, Compensation 107–8w
Road tolls, Northern Ireland 197w

O'Byrne, Patrick
(14.06.94) 602–10

Occupational pensions
751
Insolvency 249–50w
Railway workers (23.05.94) 128–54, 516w

OECD Development Assistance Committee
Developing countries 391–2w
Overseas aid 392w

Office of Gas Supply
Manpower 600w
Public appointments 416w
Recruitment 600w

Office of Passenger Rail Franchising
Shandwick 283w

Office of Public Service and Science
Cash limits 565w

Office of Telecommunications
Cash limits 599w

Offices
Imphal barracks 74w

Official engagements
103w, 288w, 370w, 631w

Official receiver
Stoy Hayward 324w

Offshore funds
Government departments 326w

Ogwr
Ministers' domestic visits 554w

O'Hara, Mr Edward
Questions
Grant maintained schools 506–7

"Oil and Gas Resources of the UK, 1994"
599–600w

Older workers
Health service staff 294w, 304w

Ombudsman
British Waterways Board 334w

One stop shop initiative
Benefits Agency district offices 104w
Wales 235w

O'Neill, Mr Martin
Questions
British Coal Corporation, Privatisation 176w, 424–5w
"Competition and Choice in the Gas Market Consultation Paper" 600w
Office of Gas Supply, Manpower 600w

Onslow, Rt Hon Sir Cranley
Questions
Cabinet Office, Cash limits 566w
European communities 177

Open government
Northern Ireland Office 649w
Press releases 97w

Openness in the NHS Steering Group
209w

Operating theatres
Scotland 459w

Opinion polls
Sellafield 342w

Oppenheim, Mr Phillip
Questions
Family doctors, Contracts of employment 170
Film industry 6
Grant maintained schools, Derbyshire County Council 505
Manufacturing industries, Scotland 204w

Opposition parties
Health service staff 119w

Opsahl Commission
(26.05.94) 469–75

Oral contraceptives
Health hazards 684w

Orchestras
79w
Greater London 7

Orders and regulations
Dept for Education 490w
Industrial health and safety 413w

Ordination of Women (Financial Provisions) Measure 1993
Questions
7w

Organ donors
119w
Transplant surgery 625w

Organophosphorous pesticides
Sheep dipping 182w

Oslo Commission
337–8w, 572w
Radioactive waste disposal 573–4w

Osteoporosis
376–7w

Ottaway, Mr Richard
Questions
Crown Prosecution Service 47w
Ferries, Spain 55w, 516w
Junior hospital doctors, Working hours 120w

Out of town shopping centres
Planning permission 340w
Town and country planning (26.05.94) 461–8

Outdoor education
Northern Ireland 293w
Safety standards 81w

Out-patients
Hospital waiting lists 119w, 122w

Overseas aid
16, 18–9, 216–8w
Belize 16
China 389w

- ***Overseas aid—continued***
  - Defence expenditure 390w
  - Deserts 557w
  - Eastern Europe 393w
  - Human rights 17
  - Indonesia 17
  - OECD Development Assistance Committee 392w
  - Palestinians 113–4w, 140–1w
  - Rwanda 17, 390w, 613–4, 617–8
  - Uganda 17–8
- **Overseas Development**
  - see Foreign and Commonwealth Office
- **Overseas Development Administration**
  - Civil service manpower 19w
  - Finance 392w
- **Overseas investment**
  - 596w
- **Overseas trade**
  - Cuba (26.05.94) 476–82
- **Overseas workers**
  - Domestic service 165w
  - Right of abode 101w
- **Oystermouth**
  - Planning inquiries 655w
- **Pacific rim nations**
  - Conditions of employment 168–70w
- **Paediatrics**
  - Greater London 214w
- ***Page, Mr Richard***
  - *Debates etc.*
  - Education (24.05.94) 204
  - *Questions*
  - Army Base Repair Organisation, Performance standards 111–2w
  - Hydrographer of the Navy 111w
- **Palace of Westminster**
  - Access to buildings 9
  - Day care of children 106w, 229w, 415w, 646w
- **Palestine National Authority**
  - 628
- **Palestinians**
  - EC aid 113–4w
  - Foreign relations 595w
  - Overseas aid 113–4w, 140–1w
- **Pallion Engineering**
  - Shipbuilding 316w
- **Paracetamol**
  - Suicide 122w
- **Paris Commission**
  - 337–8w, 572w
  - Radioactive waste disposal 573–4w
- **Parish councils**
  - Referenda 86w, 344w
- **Parliamentary Commissioner for Administration**
  - Non-departmental public bodies 453w
- **Parliamentary constituencies**
  - Greater London 279w
- **Parliamentary Counsel**
  - Finance 566w
  - Private Members' bills 106–7w, 166w, 225w, 230w
- **Parliamentary private secretaries**
  - 2–4w
- ***Parry, Mr Robert***
  - *Questions*
  - China, Human rights 593w
  - Security, Northern Ireland 292w
- **Part-time education**
  - Income support 361w
- **Passports**
  - 282w
- ***Patchett, Mr Terry***
  - *Questions*
  - Sports, Handicapped 80w
- **Patent Office**
  - 115w
- **Patient participation**
  - 297w
- **Patient's Charter**
  - Family health services authorities 300w
  - GP fundholders 300w
  - Hospital waiting lists 299–300w
- ***Patnick, Mr Irvine**, Lord Commissioner of the Treasury*
  - *Debates etc.*
  - Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 (25.05.94) 393
- ***Patten, Rt Hon John**, Secretary of State for Education*
  - *Questions*
  - Dept for Education, Cash limits 586–7w
  - Grant maintained schools 505
  - Grant maintained schools, Derbyshire County Council 505
  - Sixth form education, Schools 511
  - Teacher training, Schools 510
- ***Pattie, Rt Hon Sir Geoffrey***
  - *Questions*
  - Fishing vessels, Decommissioning 573–5w
  - International Whaling Commission 575–7w
- ***Pawsey, Mr James***
  - *Questions*
  - Dept for Education, Cash limits 586–7w
  - Dept for Education, Publicity 501
  - Dutch elm disease 329
  - Judges, Administration of justice 5w
  - Legal representation, Small claims 4w
  - Personal injury compensation 5w
- **Pay settlements**
  - Health service staff 383–4w, 590w
- **PAYE**
  - 354w
- **Paymaster Agency**
  - Performance standards 306–7w
- **Peace keeping operations**
  - Hebron 44w
  - Liberia 42w
  - Rwanda 42w, 617–9, 640w
- **Peace negotiations**
  - Middle East 595w, 627–8
  - Northern Ireland 178–9
  - Sudan 406w
- ***Peacock, Mrs Elizabeth***
  - *Debates etc.*
  - GATT (14.06.94) 527–8
  - *Questions*
  - British Coal Corporation, Land ownership and tenure 325w
  - Energy conservation, Council housing 571w
  - Wheelchairs 382–3w
- **Pedestrians**
  - Road accidents 135–6w
- **Pembrokeshire NHS Trust**
  - Surgery 654w
- ***Pendry, Mr Tom***
  - *Questions*
  - Sports, Women 8
- **Pension funds**
  - Maxwell companies 193w
- **Pensioners**
  - Concessionary fares 55w
  - Concessionary television licences 79–80w
  - Direct taxation 357–8w
  - Social security benefits reductions 193w
  - Tax thresholds 358–60w
- **Pensions**
  - Church Commissioners 7–8w
  - Hospital consultants 213w
- **Pepper gas**
  - 604w
- **Personal and social education**
  - 475w
- **Personal income**
  - 353w
- **Personal injury**
  - Legal opinion 4–5w
  - Medical malpractice 5w
- **Personal injury compensation**
  - 5w
- **Personal Investment Authority**
  - 351–2w
- **Personal pensions**
  - (17.06.94) 940–8
- **Personal tax allowances**
  - Income tax 352–3w
  - Tax yields 352–3w
- **Petrol alternatives**
  - Natural gas 153w
- **Petroleum exploration**
  - 416–7w
  - Environment protection 417w
- **Petroleum exploration licences**
  - Irish Sea 417–8w
- **Pets**
  - Identification 280w
- **Philippines**
  - Foreign relations 595w
- ***Pickthall, Mr Colin***
  - *Questions*
  - Employment, Married women 409w
  - Employment, Men 408–9w
  - Local government reform, Transitional arrangements 337w
  - Nuts, Allergies 182w
  - Railway workers, Violence 525w
  - Sex education, Departmental circulars 486w
  - Teacher training, Schools 510–1
  - Unemployment, Men 410w
  - Working mothers 287w
- **Pig diseases**
  - EC action (16.06.94) 852
- ***Pike, Mr Peter L***
  - *Debates etc.*
  - Prime Minister's questions, Points of order (14.06.94) 517
  - *Questions*
  - Benefits Agency district offices, One stop shop initiative 104w
  - Dental services 301–2w
  - Dept of Social Security, Computers in government departments 38w
  - Further education colleges, Lancashire 586w
  - Hospital patients, Prescription charges exemptions 300w
  - Income support 38–9w
  - Police custody 689–91w
  - Registration of births deaths and marriages 282w
  - School admission, Secondary education 474w, 479w
  - School choice 476w
- **Planning inquiries**
  - Northern Ireland 445–6w
  - Oystermouth 655w
- **Planning Inspectorate**
  - Performance standards 153–4w, 178w
  - Wales 178w
- **Planning permission**
  - Coal mining 154w, 335w
  - Hypermarkets 469w
  - Out of town shopping centres 340w
  - Safeway 671w
  - Spoil heaps 335w
- **Plastic surgery**
  - (14.06.94) 518–20
- **Plugs and sockets**
  - Harmonisation of standards 173w, 629w

Plymouth
Armed forces housing 71w

Pneumoconiosis
Industrial diseases 105w

Police
Management 281w
Northern Ireland 745

Police and Magistrates' Courts Bill 1993/94
Questions
559–60w

Police authorities
Expenditure 11–3w
Manpower 11–3w

Police custody
266w, 689–91w
Political refugees 16w

Police firearms
Metropolitan Police (16.06.94) 861–8

Police patrolling
Castlereagh 196–7w

Police Responsibilities and Rewards Inquiry
165w

Political refugees
Immigration applications 693–4w
Police custody 16w

Politics and government
EC countries 370w

Pollution
Radioactive wastes 651–2w

Pollution control
Beaches 82w

Pope, Mr Greg
Questions
Curriculum, Ethnic minorities 487w
Home Office, Ethnic minorities 496–502w

Population
334
Scotland 332–4

Porter, Mr David
Questions
Excise duties, Public houses 356w
Public houses 425–6w
Secure training centres, Costs 14w
Tax allowances, Small businesses 356w

Portillo, Rt Hon Michael, Chief Secretary to the Treasury
Questions
Civil Rights (Disabled Persons) Bill 1993/94 355w
Public expenditure surveys 95w
Public service pensions 352w
Welsh Office, Block grant 356w

Ports
Privatisation 517w

Portsmouth Harbour
Special protection areas 150w

Post Office
324–5w
Corporation tax 351w
External financing limits 351w
Privatisation 102w, 370w, 420w, 433w, 630w

Post offices
Driving licences 447–8w

Postal services
Blind 630w
Rural areas 420w
VAT zero rating 630w

Powell, Mr Ray
Questions
Palace of Westminster, Day care of children 646w

Power failures
Central line 518–9w

Pregnant women
Armed forces discharges (25.05.94) 410–8
Industrial health and safety 511–2w

Prentice, Mrs Bridget
Debates etc.
Medical equipment (15.06.94) 728–33
Questions
Immigration rules 180
Northern Ireland government 739

Prentice, Mr Gordon
Questions
Cable systems 629–30w
Council of Europe, Local government 96w
EC integration, Referenda 566w
Goodall, Paul, Homicide 217–8w, 611
Local authority powers, Referenda 340–1w
Local government elections 501w
Myasthenia gravis 376w
NHS, Property transfer 377w
Parish councils, Referenda 86w, 344w
Passports 282w
Post Office, Privatisation 102w, 370w
Prince of Wales, Income tax 1–2w
Royal residences, Income 647w

Pre-school education
312w, 473–4w, 503–4
Ealing Borough Council 503
Wales 547w, 614w

Prescott, Mr John
Debates etc.
Education (24.05.94) 199–201
Questions
Hard core unemployed 287w

Prescribed industrial diseases
Bronchitis 127w
Emphysema 127w

Prescription charges exemptions
556w
Hospital patients 300w

Prescriptions
379w
Nurses 35w

Press
Self-regulating organisations 80w

Press releases
Dept of Health 213w
Open government 97w

Preston, Peter
Departmental correspondence 370w

Prevention of Terrorism (Temporary Provisions) Act 1989
Questions
Journalists 199w

Primarolo, Ms Dawn
Questions
Abortion, Channel Islands 126–7w
Birth rate, District health authorities 29–30w
Cancer, Death 387w
Cancer, Dental health 35w
Cancer, Health education 35–6w
Cancer, Smoking 35w
Child safety, Health visitors 304w
Child safety, Social workers 302w
Community care 296w, 298w
Community care, Fees and charges 624w
Community care, Homelessness 624w
Community care, Housing associations 624w
Consultants, Attorney General 48w, 170w
Consultants, Dept for Education 46w
Consultants, Dept of Social Security 39w
Consultants, Foreign and Commonwealth Office 41w
Consultants, Lord Chancellor's Dept 149w
Consultants, Ministry of Agriculture Fisheries and Food 69w
Criminal injuries compensation 660w
Deprivation indicators, Greater London 213w
Dept of Health, Finance 380w
Dept of Health, Press releases 213w

Primarolo, Ms Dawn—continued
District health authorities, Expenditure 294–5w
Eye tests 303w, 589–90w
Family doctors, Recruitment 623w
Family doctors, Stress related illnesses 623w
Family health services authorities, Expenditure 373w
Foreign patients 303w
GP fundholders, Private health services 173
Health authorities, Expenditure 624–5w, 684w
Health authorities, Finance 296w
Health service staff 590w
Health service staff, Disciplinary proceedings 379w
Health service staff, Pay settlements 590w
Health service staff, Redundancy 36w
Health services, Administrative costs 373w
Health visitors 387–8w
Health visitors, Wales 651–2w
Hospital waiting lists, Costs 590w
Hospital waiting lists, Out-patients 122w
Hospitals, Birmingham 215w
Hospitals, Ministers' domestic visits 380w
Hospitals, Private patients 303w
Income tax 351w
Management consultants, Chancellor of the Duchy of Lancaster 225w
NHS, Audit 122w
NHS finance 121–2w
NHS internal market 304w
Nurses, Ethnic minorities 30w
Nurses, Manpower 590–1w
Nurses, Northern Ireland 444–6w
Nurses, Scotland 457w, 604w
Nurses, Wales 614w
Nurses' training, Northern Ireland 445w
Nurses' training, Scotland 457w
Openness in the NHS Steering Group 209w
Paediatrics, Greater London 214w
Patient participation 297w
Prescriptions 379w
Regional health authorities, Public appointments 296–7w
Respite care, Hospital beds 591–2w
Suicide, Paracetamol 122w
Tuberculosis, Scotland 92w
Water supply, Water pollution 344w

Primary education
Grant maintained schools 312–3w
Redbridge 474w
Teachers 618w
Wales 128–30w, 618w

Primary health care
Expenditure 33w

Prime Minister
Cellular phones 1w
Civil servants' business appointments 371–2w
"Code of Practice on Access to Government Information" 369w
Repetitive strain injury 2w

Prime Minister's questions
514

Prince of Wales
Income tax 1–2w

Princess Alexandra Hospital
537w

Prison accommodation
273–5w
Prison population 276–80w
Sanitation 272–3w

Prison education services
270w

Prison escapes
Prisoner escorts 495–6w

Prison overcrowding
495w

Prison population
506–8w, 660–1w, 663–4w
Fine defaulters 267–8w, 463–4w

Prison population—continued
  Prison accommodation 276–80w

Prison sentences
  Crimes of violence 506w
  Homicide 502–3w
  Prisoners' release 508–10w

Prison Service Committee of Inquiry
  660w

Prison staff
  Manpower 163–4w, 503–5w
  Scotland 608–9w

Prison visits
  252w

Prisoner escorts
  Group 4 Securitas 495–6w
  Prison escapes 495–6w

Prisoners
  268–9w
  AIDS 270–1w
  Alcoholism 257–8w, 610–2w
  British residents abroad 642–3w
  Childbirth 251–2w
  Contraceptives 101–2w
  Drug abuse 257–8w, 265w
  Drug crimes 252–3w
  Ethnic groups 272w
  Handicapped 14–5w
  HIV infection 490–2w
  India 188w
  Mental health services 255w
  Nationality 252–3w
  Per capita costs 280–1w
  Restraint equipment 272w, 503w
  Scotland 610–2w
  Self help 256–7w
  Sexual offences 273–4w
  Stress management 266–7w
  Suicide 256–7w, 269w

Prisoners' home leave
  17w

Prisoners on remand
  508w, 693w

Prisoners' release
  Prison sentences 508–10w
  Sexual offences 100w

Prisoners' transfers
  Northern Ireland 251w

Prisoners' transport
  Belmarsh Prison Woolwich 13–4w

Prisons
  Access to buildings 14–5w
  Scotland 22–30w
  Suicide 22–30w

Privacy
  Mass media 81w

Private detectives
  Dept of Employment 414–5w
  Dept of Social Security 366–7w
  Dept of Transport 509w
  Welsh Office 554–5w

Private health services
  Dental services 685–6w
  GP fundholders 172–3
  Residential care 166, 377w

Private investment
  Education 475w
  NHS 124–6w

Private Members' bills
  Amendments and new clauses 166w, 225w, 230w
  Chancellor of the Duchy of Lancaster 227w
  Dept for Education 315w
  Dept of Health 295w
  Dept of National Heritage 647w
  Dept of Social Security 245w
  Dept of the Environment 331w
  Dept of Trade and Industry 420w
  Dept of Transport 509w
  Foreign and Commonwealth Office 395w
  Home Office 281–2w
  Lord Chancellor's Dept 328w

Private Members' bills—continued
  Ministry of Agriculture Fisheries and Food 435w
  Ministry of Defence 70–1w
  Parliamentary Counsel 106–7w, 166w, 225w, 230w
  Scottish Office 208w
  Treasury 306w
  Welsh Office 177w

Private Members' motions
  (25.05.94) 342, (15.06.94) 630
  Trade competitiveness (17.06.94) 869–937

Private patients
  Hospitals 303w
  NHS trusts 303w

Private property
  Immobilisation of vehicles (25.05.94) 377–80

Private rented housing
  238–40w

Privatisation
  (25.05.94) 361–6
  BBC 3–4
  British Coal Corporation 176w, 424–5w, 670w
  British Gas 425w
  Directorate of Telecommunications 558w
  Forestry Commission 204w
  Highways Agency 524w
  Insolvency Service 74–5w, 324w
  Ports 517w
  Post Office 102w, 370w, 420w, 433w, 630w
  PSA Building Management 344w
  Royal Mail 325w

Probation committees
  West Midlands 660w

Procurators fiscal
  469–71w

Product safety
  Medical equipment (15.06.94) 728–36

Production quotas
  Sheep 435w

Productivity
  Manufacturing industries 319w

Property Holdings
  Civil service agencies 225–6w

Property transfer
  NHS 377w

Prosecutions
  Falkland Islands 513–4

Prosthetics
  NHS internal market 654w

PSA Building Management
  Privatisation 344w

Psychiatry
  Doctors 679w, 686w
  Health service staff 679w, 686–7w
  Northern Ireland 679w

Psychogeriatrics
  Respite care 592w

Psychometric testing
  Dept of Employment 409–10w

Public Accounts Committee
  (23.05.94) 155

Public appointments
  Advisory Committee on NHS Drugs 589w
  Dartmoor Steering Group 73w
  Deregulation Task Force 173–5w
  Independent Board of Visitors for Military Corrective Training Centre and Royal Navy Detention Quarters 73w
  Industrial Tribunals 407–8w
  Judiciary 327–9w
  Land Authority for Wales 177–8w
  Northern Ireland Housing Policy Advisory Group 198w
  Office of Gas Supply 416w
  Regional health authorities 296–7w

Public appointments—continued
  Scottish Advisory Group on Sustainable Development 607–8w
  Teacher Training Agency 171w, 479w

Public expenditure
  Dept of Social Security 682w
  Housing benefits 682w
  Scotland 324

Public expenditure surveys
  95w

Public houses
  425–6w
  Excise duties 356w

Public inquiries
  Birmingham relief road 283w

Public records
  Special Operations Executive 596w

Public sector housing
  Castlereagh 196w

Public service pensions
  352w

Public service vehicles
  Hooliganism 242w

Public utilities
  427w
  Handicapped 427w

Publications
  Campaign for Nuclear Disarmament 231w

Publicity
  Dept for Education 500–2
  Grant maintained schools 478w, 501

Pupil exclusions
  585–6w
  Appeals 483–4w

Pupil records
  476–7w

Pyramid selling
  321w

Quin, Ms Joyce
  Questions
  EC countries, Fraud 612–3
  EC Foreign Affairs Council 186–8w

Race bank
  Dredging 349w

Radioactive waste disposal
  96w
  British Nuclear Fuels 76w
  Cumbria 361w
  Oslo Commission 573–4w
  Paris Commission 573–4w
  United Kingdom Atomic Energy Authority 76w

Radioactive wastes
  Japan 342w
  Pollution 651–2w
  Wales 651–2w

Radiotherapy
  Health hazards 689–90w

RAF Chicksands
  534w
  Arrests 533w

RAF Chivenor
  109w

RAF Molesworth
  Military intelligence 532–3w

RAF Northolt
  160w
  Air transport 519w

RAF Valley
  Armed forces training 109w

Raigmore Hospital
  Recruitment 331

Railtrack
  Pay 752

Railway accidents
  Fire services 559w

Railway fares
  Families 137–8w

Railway freight transport
  282w

Railway network
  Channel tunnel 160w, (25.05.94) 356–9, 375–7, 639w
  King's Cross Station 160w
  Noise control 133w
  Strathclyde Regional Council 608w
  Trans-European networks 284–5w

Railway Pension Scheme Order 1994
    Debates etc.
  (23.05.94) 128–54

Railway Pensions (Protection & Designation of Schemes) Order 1994
    Debates etc.
  (23.05.94) 128–54

Railway safety
  King's Cross Fire Inquiry 59w, 519–20w

Railway stations
  Greater London 57w

Railway timetables
  Season tickets 517w

Railway track
  Liability 56–7w

Railway transport
  Crime 50–2w
  East London 56w
  Investment 668w
  Waterloo Station 57w

Railway workers
  Occupational pensions (23.05.94) 128–54, 516w
  Violence 525w

Rain forests
  Company disclosure of information 117w

Rape
  Scotland 463–5w
  Trials 463–5w

Rates (Amendment) (Northern Ireland) Order 1994
    Debates etc.
  (16.06.94) 768–9

Rathbone, Mr Tim
    Questions
  Dept of the Environment, Written questions 153w

Rathlin Island
  Integrated schools 748

Ravenscraig steelworks
  327–8

Ravenspark Hospital
  Hospital closures 611w

Raynsford, Mr Nick
    Questions
  British citizenship 557w
  Railway transport, Crime 50–2w

Recess motions
  (25.05.94) 346–89

Recruitment
  Family doctors 623w
  Higher education teachers 625w
  Office of Gas Supply 600w
  Raigmore Hospital 331

Redbridge
  Primary education 474w

Redmond, Mr Martin
    Questions
  Accident and emergency departments, Trent Regional Health Authority 209w
  Ballot papers, Braille 100–1w
  Barnsley and Doncaster Training and Enterprise Council 49w
  Dental services 32w
  Dental services, NHS 31–2w
  Doctors, South Yorkshire 124w
  Doctors, Working hours 209w
  Fertility, Waiting lists 123w

Redmond, Mr Martin—continued
  Fish conservation 182w
  Gloucestershire Constabulary, Royal residences 281w
  Health service staff, Manpower 587w
  Health service staff, Older workers 294w
  Health services, South Yorkshire 294–5w
  Military exercises, English Channel 161w
  Ministry of Defence, Doncaster 52–3w
  Non-departmental public bodies, Chancellor of the Duchy of Lancaster 226–7w
  Non-departmental public bodies, Northern Ireland Office 197–8w
  Parliamentary Commissioner for Administration, Non-departmental public bodies 453w
  Tobacco, Fire prevention 318w
  Youth unemployment, Doncaster 49w

Redundancy
  Dept of Transport 526–7w
  Devonport dockyard 71w
  Health service staff 36w
  Local government reform 242w
  Manufacturing industries 603w
  Rosyth dockyard 71w
  Warren Spring Laboratory 419w

Redundancy pay
  Armed forces 530w
  Local government staff 348–9w

***Redwood, Rt Hon John**, Secretary of State for Wales*
    Debates etc.
  Local Government (Wales) Bill (HL), Rep (15.06.94) 648–9, 664–7, 682–3
  Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 772–3, 837–8, 849–51
  Welsh Development Agency, Points of order (16.06.94) 766
    Questions
  Agricultural Development and Advisory Service, Wales 234–5w
  Arable area payments scheme, Marginal land 698–9w
  Arable area payments scheme, Wales 548w, 699–700w
  Care and repair initiative, Wales 37w
  Civil servants' business appointments, Welsh Office 554w
  Coastal areas, Government grants 696w
  "Code of Practice on Access to Government Information", Welsh Office 545w
  Consultants, Welsh Office 545w
  Dearing Review, Wales 133w
  Departmental publications, Welsh Office 551w
  Employment, Wales 130–1w
  Energy conservation, Local government buildings 38w
  General cetificate of secondary education, Wales 132–3w
  Government grants to local authorities, Wales 538–46w
  Hospices, Wales 551w
  Interreg programme, Wales 234w
  Land Authority for Wales, Public appointments 177–8w
  Local government services, Contracts for services 133w
  Local Government (Wales) Bill (HL) 1993/94, Amendments and new clauses 235w
  Marginal land, Wales 546–8w
  Ministers' domestic visits, Ogwr 554w
  NHS finance, Wales 131–2w
  One stop shop initiative, Wales 235w
  Primary education, Teachers 618w
  Private detectives, Welsh Office 554–5w
  Private Members' bills, Welsh Office 177w
  Road traffic control, Cardiff 133w
  Road works, Expenditure 618w
  Security, Welsh Office 695w
  Trawsfynydd power station, Health hazards 655–7w

Redwood, Rt Hon John—continued
  Welsh Development Agency, Departmental correspondence 37w
  Welsh Office, Block grant 551–3w
  Welsh Office, Cash limits 619–20w
  Welsh Office, Civil service manpower 697–8w
  Welsh Office, Departmental responsibilities 695w

Referenda
  Devolution 566w
  EC integration 566w
  Local authority powers 340–1w
  Parish councils 86w, 344w

Refugees
  Iraq-Kuwait conflict 41w
  Rwanda 389–90w
  Yemen 254w, 396–7w

Regional enterprise grants
  118w

Regional health authorities
  Finance 381–2w
  Manpower 689w
  Public appointments 296–7w

Regional selective assistance
  118w

Registration of births deaths and marriages
  282w

Regulation of Cosmetic Surgery Bill 1993/94
    Debates etc.
  1R (14.06.94) 518–20

Regulators of Privatised Utilities Bill 1993/94
    Debates etc.
  2R order read (17.06.94) 938

Reid, Dr John
    Questions
  Local government reform, Scotland 202w
  Ravenscraig steelworks 328

Religious education
  485–6w

Relocation of employees
  United Kingdom Atomic Energy Authority 419w

Remand in custody
  Young offenders 492w

Rendel, Mr David
    Debates etc.
  Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994(25.05.94) 397–9, 402–4, 408
  Education (24.05.94) 202
  Ministry of Defence police (26.05.94) 450–3, 457, 460

Repetitive strain injury
  Attorney General 326w
  Dept of Employment 166–7w
  Dept of Health 209w
  Dept of National Heritage 185w
  Dept of Social Security 192w
  Dept of the Environment 151w
  Dept of Trade and Industry 172w
  Dept of Transport 57w
  Foreign and Commonwealth Office 112w
  Home Office 163w
  Lord Chancellor's Dept 329w
  Ministry of Agriculture Fisheries and Food 147–8w
  Ministry of Defence 219w
  Northern Ireland Office 200w
  Prime Minister 2w
  Scottish Office 206w
  Treasury 178w

Repossession orders
  Shared ownership schemes 343w

Reproduction
  Health aid 18–9w

Republic of Ireland
  Constitutions 739

Rescue services
529w

Research and Planning Unit
Contracts for services 16w

Research finance
116w
Environmental Research 567w
Industrial research 116–7w
Inland waterways 518w
Medical research 35w, 215–6w
Shipping 518w
Small businesses 117w

Residential care
Dementia 683w
Fees and charges 377w
Hospital beds 683w
Private health services 166, 377w

Respite care
East Sussex 169
Hospital beds 591–2w
Mental patients 168–9
Psychogeriatrics 592w

Restraint equipment
Prisoners 272w, 503w

Retail trade
Drug industry 211w
Motor vehicle registration 523w

Richards, Mr Rod
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 639–40
Questions
Business questions 762
CADW: Welsh Historic Monuments, Performance standards 620w
Judiciary, Equal opportunities 6w
National Rivers Authority Advisory Committee for Wales, Annual reports 698w
Planning Inspectorate, Performance standards 178w
Trawsfynydd power station, Health hazards 655–7w
Welsh Office, Cash limits 619–20w

Riddick, Mr Graham
Questions
Foreign investment in UK, Scotland 329–30

Right of abode
EC nationals 14w
Overseas workers 101w

Right to buy
Defective housing 343w

Rights of way
Wales 555–6w

Ritchie Committee
see Scottish Advisory Group on Sustainable Development

River Calder (Welbeck Site) Bill (HL) 1990/91
Debates etc.
2R (24.05.94) 165

River Darent
Water abstraction 568w

River Tay
Fishing 206w

Rivers
Sites of special scientific interest 568w

RNAD Beith
232w

Road accidents
Children 58–9w
Company cars 55w
Cycling 58w
Drinking and Driving 58–9w
Pedestrians 135–6w
Tractors 563–4w

Road construction
136w

Road construction—continued
Civil servants' business appointments 523w, 526w
Construction materials 158–9w
Contracts 60–8w
Land acquisition 134–5w
M25 666–7w
Trans-European networks 284w
Weston Super Mare 136w

Road markings
M4 695w

Road safety
Buses 515–6w, 638w
Driving tests 518w

Road signs
Metrication 668w

Road tax
Mobility of disabled 526w
Motor vehicle registration 521–2w
Northern Ireland 361w
Tax evasion 520–3w

Road tolls
Northern Ireland 197w

Road traffic
A41 524w
Research 53–4w

Road traffic control
Cardiff 133w

Road transport
Investment 668w
Museums and galleries 184w

Road works
A47 (23.05.94) 156–64
A80 332
Expenditure 564w, 618w
Local government services 346w
M25 134w
Telephone services 51–2w
Wales 618w

Roads
Scotland 332
Trans-European networks 284w

Robathan, Mr Andrew
Questions
Northern Ireland government 649w
Property Holdings, Civil service agencies 225–6w

Roberts, Rt Hon Sir Wyn, Minister of State for Wales
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 699–704, 708, 714–6, 720–1
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 771–2, 785–9, 826–7, 840–1, 846–7
Questions
Birds of prey, Wales 132w
CADW: Welsh Historic Monuments, Performance standards 620w
Forests, Land acquisition 537–8w
Headteachers, Dismissal 131w
Headteachers, Wales 547w
M4, Wales 695w
Pre-school education, Wales 547w
Primary education, Wales 128–30w
Rights of way, Wales 555–6w
Road markings, M4 695w
Rugby, Wales 549w
Rural transport innovation grant scheme, Wales 550w
School buildings, Repairs and maintenance 546w
Severn bridge, Lorries 129–30w
Teachers, Wales 547–8w
Training and enterprise councils, Wales 128w
Woodcraft Folk for Wales, Government grants 177w

Robertson, Mr George
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 214, 219–23, 232, 242–3

Robertson, Mr George—continued
Questions
Adoption, Scotland 460–2w
Creutzfeldt-Jakob dementia, Scotland 461–2w
Local government reform, Scotland 327
NHS trusts, Scotland 317–8

Robertson, Mr Raymond S
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 221, 224–6
Questions
Drug abuse, Scotland 322–3
Roads, Scotland 332
Scottish Prison Service, Performance standards 244–6w

Robinson, Mr Mark
Debates etc.
GATT (14.06.94) 524, 537–41, 545, 590
Questions
Hip replacements 121w

Robinson, Mr Peter
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 280, 287–8, 301
Questions
Making Belfast work programme, Further education 588w
Northern Ireland government 740
Schools, Capital investment 447w
Terrorism, Arrests 446–7w
Terrorism, Northern Ireland 448w

Roche, Mrs Barbara
Debates etc.
Cyprus (26.05.94) 423–4, 427
Questions
Commonwealth War Graves Commission, Finance 527w
Criminal Justice and Public Order Bill 1993/94, Sentencing 272w
Cyprus, EC enlargement 404w
Cyprus, Ministers' visits abroad 404w
Deportation, Security industry 268w
Development aid 18w
Domestic service, Overseas workers 165w
Domestic violence, Trials 330w
Home Office, Security industry 9w
King's Cross Fire Inquiry, Railway safety 59w, 519w
London Underground, Safety measures 59w
Overseas workers, Domestic service 165w
Palace of Westminster, Day care of children 415w
Police custody 266w
Preston, Peter, Departmental correspondence 370w
Prison accommodation, Sanitation 272–3w
Taxation 95w
Transport of animals, Animal welfare 148w
Transport Research Laboratory 134w

Roe, Mrs Marion
Questions
Nurses, Manpower 175

Rogers, Mr Allan
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 651–2, 667
Questions
Foreign investment in UK 621

Rogers, Michael
674w

Rooker, Mr Jeff
Questions
Ballot papers, Election administration 256w

Roskear school
506

Ross, Mr Ernie
Questions
Cuba, EC external relations 623

***Ross, Mr Ernie**—continued*
Training, Scotland 203w

Ross, Mr William
Questions
Anglo-Irish Intergovernmental conference, Disclosure of information 737
Northern Ireland Office, Cash limits 200w

Rosyth dockyard
Contracts for services 71w
Contracts of employment 71w
Redundancy 71w

Rotherham
Education 507

Rowe, Mr Andrew
Debates etc.
Alcoholic drinks duties (25.05.94) 356–9
House of Commons times of sittings (25.05.94) 355
Questions
Freight transport 515w
Local government reform, Costs 336–7w
NHS trusts, Pay 167–8

Rowlands, Mr Ted
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 675–8, 691–5, 697–8, 700, 704, 710, 713, 719, 721
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 775–8, 787, 790, 806, 828, 830–1, 839–40, 845
Questions
Local government staff, Wales 611–3w

Royal Free NHS Trust
Geriatric patients 121w

Royal Liverpool Philharmonic Orchestra
2

Royal Mail
Privatisation 325w

Royal Naval College
219w, 230–1w
Foreign students 219–20w

Royal Naval Hospital Haslar
537w

Royal Ordnance
Arms trade 531w

Royal residences
184–5w
Gloucestershire Constabulary 281w
Income 647w

Royal Scottish National Hospital and Community NHS Trust
Forth Valley Healthcare NHS Trust 20–2w

Royal Ulster Constabulary
Employment discrimination 200–1w

Royal yacht
534–5w

Royalties
Crown Estate Commissioners 349w

Ruddock, Ms Joan
Questions
Building regulations, Heating 671w
County Hall 632w
Custodial treatment 258–66w
Deregulation initiative 426w
Embassies, Immigration 402w
Fine defaulters, Prison population 267–8w
Home Office, Contracts for services 15–6w
London Underground, Violence 59–60w
Mentally disturbed offenders 662–3w
Postal services, Blind 630w
Prison accommodation 273–5w
Prison accommodation, Prison population 276–80w
Prison education services 270w
Prison escapes, Prisoner escorts 495–6w
Prison overcrowding 495w
Prison population 506–8w, 663–4w
Prison sentences, Crimes of violence 506w
Prison sentences, Homicide 502–3w

***Ruddock, Ms Joan**—continued*
Prison sentences, Prisoners' release 508–10w
Prison staff, Manpower 503–5w
Prison visits 252w
Prisoners 268–9w
Prisoners, Childbirth 251–2w
Prisoners, Contraceptives 101–2w
Prisoners, Drug abuse 257–8w, 265w
Prisoners, Drug crimes 252–3w
Prisoners, Mental health services 255w
Prisoners, Sexual offences 273–4w
Prisoners, Stress management 266–7w
Prisoners, Suicide 256–7w, 269w
Prisoners on remand 508w
Sentencing, Costs 272w
Young offenders 505–6w
Young offenders, Remand in custody 492w
Young offenders, Sentencing 662w

Rugby
Wales 549w, 647–8w

Rumbold, Rt Hon Dame Angela
Questions
Sandwell Borough Council, Labelling 319w

Rural areas
Postal services 420w
Suicide 302w

Rural transport innovation grant scheme
Wales 550w

Rutland County
752

Rwanda
(24.05.94) 308–16
Armed conflict 43–4w, 395–6w, 593w, 613–4, 617–9, 640–2w
Armed forces deployment 594w
Arms trade 619
Food aid 389w
Human rights 640–1w
Overseas aid 17, 390w, 613–4, 617–8
Peace keeping operations 42w, 617–9, 640w
Refugees 389–90w
South Africa 617
World Health Organisation 390w

***Sackville, Mr Tom**, Parliamentary Under-Secretary of State, Dept of Health*
Debates etc.
Medical equipment (15.06.94) 733–6
Questions
Abortion, Channel Islands 126–7w
AIDS, Dementia 683w
AIDS, Government grants to local authorities 298w
AIDS, Hospital beds 683w
AIDS, Nurses' training 683–4w
Ambulance services 119w
Ambulance services, Manpower 386–8w
Ambulance services, NHS and private practice 684w
Asthma 173–4
Birth rate, District health authorities 29–30w
Cancer 212–3w
Cancer, Death 31w, 387w
Cancer, Dental health 35w
Cancer, Health education 35–6w
Cancer, Medical Treatments 31–3w
Cancer, Smoking 35w
Chronically sick 216w
Civil servants' business appointments, Dept of Health 380w
"Code of Practice on Access to Government Information", Dept of Health 299w
Computers in National Health Service 385w
Congenital abnormalities 121w
Congenital abnormalities, Research 296w
Consultants, Dept of Health 298w
Coxsackie virus 373–4w
Creutzfeldt-Jakob dementia, Blood donors 297w

***Sackville, Mr Tom**—continued*
Departmental publications, Dept of Health 378w
Dept of Health, Finance 380w
Dept of Health, Press releases 213w
Diabetes, Children 373w
Diseases, Inner London boroughs 32w
Drug industry, Retail trade 211w
Family practitioner services, Nottinghamshire Family Health Services Authority 297w
Fertility, Human embryo experiments 166–7
Fertility, Medical treatments 622–3w
Fertility, Waiting lists 123w
Foreign patients 303w
Genetics, Research 296w
Health authorities, Expenditure 684w
Health authorities, Finance 381–2w
Health hazards, Exhaust emissions 120w
Health services, Equal opportunities 34–5w
Health services, Greater London 125–6w
Health visitors 387–8w
Hip replacements 121w
Hospital admissions, North West region 176
Hospital beds 34w
Hospital patients 215w
Hospital patients, Prescription charges exemptions 300w
Hospital waiting lists, Bolton General Hospital 176
Hospitals 119w
Hospitals, Birmingham 215w
Hospitals, Hygiene 122w
Hospitals, Private patients 303w
Human embryo experiments 295–6w
Human embryo experiments, Waste disposal 210w
Human Fertilisation and Embryology Authority, Licensing 210–1w
Inflammatory bowel disease, Cannabis 124w
Maternal mortality 383–6w
Maternity services, Childbirth 303–4w
Mental health services, Young people 688w
Midwives 589w
Myalgic encephalomyelitis, Conferences 213w
Necrotising fasciitis 171–2
NHS, Audit 122w
NHS, Cars 215w
NHS, Information services 301w
NHS, Private investment 124–6w
NHS, Property transfer 377w
NHS, Telephone services 301w
NHS finance 121–2w
NHS internal market 304w
NHS internal market, Medical treatments 33w
NHS Pensions Agency 376w
NHS trusts 295w
NHS trusts, Contracts for services 210w
NHS trusts, Finance 36–7w, 305w
NHS trusts, Northern region 295w
NHS trusts, Suffolk 120w
Nurses, Ethnic minorities 30w
Nurses, Manpower 590–1w
Nurses' training 125–6w
Oral contraceptives, Health hazards 684w
Organ donors 119w
Organ donors, Transplant surgery 625w
Osteoporosis 376–7w
Private Members' bills, Dept of Health 295w
Radiotherapy, Health hazards 689–90w
Regional health authorities, Finance 381–2w
Registration of births deaths and marriages 282w
Repetitive strain injury, Dept of Health 209w
Residential care, Hospital beds 683w
Surgery, Heart diseases 621w
Vaccination, Young people 299w

Safety belts
Buses 135w, 515–6w
Minibuses 54w, 285w
School transport 487w

Safety measures
- Fire prevention 630w
- London Underground 59w

Safety standards
- Outdoor education 81w

Safeway
- Planning permission 671w

Sainsbury, Rt Hon Tim, Minister for Industry
- *Debates etc.*
  - Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 65, 107, 112–4, 122–4
  - GATT (14.06.94) 521–31
  - Trade competitiveness (17.06.94) 873, 879, 888, 929–37
- *Questions*
  - Aircraft 173w
  - "Competitiveness: Helping Business to Win White Paper", Costs 424w
  - EC grants and loans, Merseyside 418w
  - Engineering industries 418w
  - Foreign investment in UK, Greater London 602w
  - Industrial production, Trade competitiveness 603w
  - Manufacturing industries, Manpower 603w
  - Manufacturing industries, Productivity 319w
  - Manufacturing industries, Redundancy 603w
  - Manufacturing industries, Trade competitiveness 629w
  - Pallion Engineering, Shipbuilding 316w
  - Regional selective assistance 118w
  - Sustech programme 118w
  - Teaching company scheme 175–6w
  - Trade associations 118w

St Dogmaels
- Landslips 549w

St John Houghton School Ilkeston
- 507

Sale of Goods (Amendment) Bill (HL) 1993/94
- *Debates etc.*
  - Order for resuming adjourned consideration read (17.06.94) 938

Salmond, Mr Alex
- *Debates etc.*
  - Local Government Etc (Scotland) Bill, 3R (24.05.94) 216, 230, 252, 257
  - Trade competitiveness (24.05.94) 194
- *Questions*
  - Local government reform, Scotland 203w
  - Ravenscraig steelworks 328

Sanctions
- Cuba 623
- Iran 44w
- Sudan 45w

Sandwell Borough Council
- Labelling 319w

Sanitation
- Prison accommodation 272–3w

Satellite broadcasting
- Millbank 106w

Saudi Arabia
- Human rights 41w

Schedule D income tax
- 351w

School administration
- 139w, 311–2w
- Research 139–40w

School admission
- Appeals 483–4w
- Secondary education 474w, 479w

School buildings
- Repairs and maintenance 546w
- Wales 546w

School catchment areas
- Scotland 203w

School choice
- 476w, 483w

School fees
- VAT 360w

School meals
- Special education 449w

School population
- 313–4w

School transport
- Safety belts 487w

Schools
- Capital investment 447w
- Counselling 476–7w
- Handicapped pupils 488w
- Northern Ireland 447w
- Sixth form education 511
- Teacher training 510–1

Schools and parents
- Complaints 480w
- Grant maintained schools 509

Science and technology research
- Capital Allowances Act 1990 354w
- Cash limits 565w

Science education
- 587w

Science Museum
- 185w

Scotland
- Accident and emergency departments 206w
- Adoption 460–2w
- Ambulance services 202w
- Arable area payments scheme 462w
- Breast cancer 659w
- Cancer 456w
- Child abuse 458w, 604–6w
- Commonwealth Institute 394w
- Community care 323
- Complaints 606w
- Council housing 206–7w
- Coxsackie virus 458–9w
- Creutzfeldt-Jakob dementia 461–2w
- Day care of children 465w
- Distilling industry 180–1
- Drug abuse 321–3
- Drug crimes 322
- Economic situation 201w, 205w
- Employment 201w
- Environmentally sensitive areas 22w
- Family doctors 605–6w
- Ferries 208w, 244w
- Fine defaulters 463–4w
- Foreign investment in UK 329–30
- Foreign students 454–5w
- Forestry 21w
- Geriatric patients 201w
- Health services 205w
- Health visitors 457w, 604w
- Homelessness 319
- Hooliganism 242w
- Hospital consultants 460w
- Hospital waiting lists 330–1
- Housing improvement 207w
- Hypermarkets 469w
- Industrial investment 330
- Ionizing radiation 207–8w
- Legal education 455w
- Local government reform 202–3w, 207w, (24.05.94) 212–62, 242w, 327, 454w, 469w
- Local government services 205w
- Local government staff 203w, 326–7
- Manufacturing industries 204w
- Mental health services 92w, 241–2w
- Miscarriages of justice 468w
- National parks 463w
- NHS 204w, 606w
- NHS trusts 21w, 205w, 243–5w, 317–8, 463w
- Non-departmental public bodies 202w, 453w
- Nurses 457w, 604w
- Nurses' training 457w
- Operating theatres 459w
- Population 332–4

Scotland—continued
- Prison staff 608–9w
- Prisoners 610–2w
- Prisons 22–30w
- Public expenditure 324
- Rape 463–5w
- Roads 332
- School catchment areas 203w
- Scottish health boards 606w
- Sea transport 746–7
- "Shaping the New Councils" 93w
- Sheep premiums 694w
- Sheltered housing 207w, 453–4w
- Speech therapy 459w
- Sports 205w
- Sports facilities 204w
- Tax evasion 454w
- Training 203w, 324–5
- Trauma centres 205w, 461w
- Travelling people 93w
- Tuberculosis 92w
- Universities 92w

Scott, Rt Hon Nicholas, Minister for Social Security and Disabled People
- *Debates etc.*
  - Handicapped, Civil rights (26.05.94) 487–90
- *Questions*
  - Civil Rights (Disabled Persons) Bill 1993/94 366w
  - Civil Rights (Disabled Persons) Bill 1993/94, Compliance cost assessments 366w
  - Cold weather payments 192w
  - Disability living allowance, Mentally handicapped 367–8w
  - EC social policy, Handicapped 367w
  - Incapacity benefit, Carers 584w
  - Incapacity benefit, Medical exa[illegible]ions 365w
  - Incapacity benefit, Multiple sclerosis 193–4w
  - Independent Living 1993 Fund 681w
  - Independent Living 1993 Fund, Local government social services 39–40w
  - Independent Living 1993 Fund, Social security recipients 363–4w
  - Industrial disablement benefits, Coal mining 105–6w
  - Industrial diseases, Pneumoconiosis 105w
  - Industrial injuries scheme, Bronchitis 245–6w, 364w
  - Invalidity benefits, Wales 582w
  - Medical equipment, Lung diseases 105w
  - Repetitive strain injury, Dept of Social Security 192w
  - Social fund 582–4w, 681–2w
  - Social fund, Wandsworth 250w
  - Social security benefits disqualification, Voluntary work 365w

Scott Inquiry
- see Arms to Iraq Inquiry

Scottish Advisory Group on Sustainable Development
- Public appointments 607–8w

Scottish Ambulance Service
- 201–2w
- NHS trusts 202w, 456–7w

Scottish councils
- Local government expenditure 201w

Scottish Enterprise
- Turing Institute 467–8w

Scottish Environment Protection Agency
- 204w

Scottish Grand Committee
- (15.06.94) 630

Scottish health boards
- Cars 462w
- Scotland 606w

Scottish Homes
- 318–9

Scottish Housing Association Tenants' Ombudsman

Scottish Housing Association Tenants' Ombudsman—continued
see Housing Association Tenants' Ombudsman for Scotland

Scottish Office
Cash limits 607w
Cellular phones 206w
Civil servants' business appointments 472w
"Code of Practice on Access to Government Information" 460w
Consultants 457w
Departmental publications 467w
Market research 22w
Private Members' bills 208w
Repetitive strain injury 206w

Scottish Prison Service
Performance standards 244–6w

Scrapie
440w

Screening
Breast cancer 658–9w
Surgery 297w

Sea transport
Northern Ireland 746–7
Scotland 746–7

Seas and oceans
Technology foresight programme 434w

Season tickets
British Rail 517w
Railway timetables 517w

Secondary education
School admission 474w, 479w
Wales 128–30w

Secondhand cars
Consumer protection 316w

Secure psychiatric units
Mental patients 680w, 687w

Secure training centres
Costs 14w
Personnel 99w

Security
Cross border cooperation in Ireland 649–50w
Cuba 622
Dept for Education 585w
Dept of National Heritage 670w
Dept of the Environment 632w
Dept of Trade and Industry 669w
Europe 594w
Foreign and Commonwealth Office 643w
Northern Ireland 292w, 742–4
Northern Ireland Office 675w
Treasury 626w
Welsh Office 695w

Security industry
Crown Agents 393w
Deportation 268w
Dept of Employment 414–5w
Dept of Social Security 366–7w
Dept of Transport 509w
Exhibitions 421w
Home Office 9w
Welsh Office 554–5w

Self help
Prisoners 256–7w

Self-employed
Northern Ireland 199w

Self-regulating organisations
Financial services (14.06.94) 602–10
Press 80w

Sellafield
Opinion polls 342w

Sentencing
Costs 272w
Criminal Justice and Public Order Bill 1993/94 272w
Young offenders 662w

Serious Fraud Office
Annual reports 170w

Severn bridge
Lorries 129–30w

Sewers
Repairs and maintenance 333w

Sex change operations
Western General Hospital NHS Trust 455–6w

Sex education
Departmental circulars 486w

Sexual offences
Prisoners 273–4w
Prisoners' release 100w

Shandwick
Office of Passenger Rail Franchising 283w

"Shaping the New Councils"
Scotland 93w

Shared ownership schemes
Repossession orders 343w

Shaw, Mr David
Questions
Electronic mail, Government departments 97w
Local government expenditure, Scottish councils 201w
Northern Ireland government 748
Press releases, Open government 97w

Sheehy Committee
see Police Responsibilities and Rewards Inquiry

Sheep
Production quotas 435w
Slaughterhouses 435w

Sheep dipping
Organophosphorous pesticides 182w

Sheep premiums
443–4w
Scotland 694w

Sheerman, Mr Barry
Debates etc.
Ten minutes rule, Points of order (17.06.94) 869
Trade competitiveness (17.06.94) 909, 911, 921
Questions
Cancer, Death 31w
Cancer, Medical research 212w
European Social Fund, Voluntary organisations 166w
Guy's Hospital, Breast cancer 123w
Hospital consultants, Cancer 295w

Sheffield City Council
Council tax capping 88w

Sheldon, Rt Hon Robert
Questions
Arts Council, Disclosure of information 6–7

Sheltered housing
Scotland 207w, 453–4w

***Shephard, Rt Hon Gillian**, Minister of Agriculture, Fisheries & Food*
Questions
Agricultural workers, Average earnings 144w
Bovine spongiform encephalopathy 310w, 441w
EC Agriculture Council 443w
Grazing land, Environment protection 443–4w
Hill farming 147w
Integrated administration and control system 310–1w
Marginal land 144–5w
Marginal land, EC countries 673w
Milk, Agricultural marketing 644–6w
Ministry of Agriculture Fisheries and Food, Ministers' visits abroad 673w
Tenant farmers 672w
Tenant farmers, Marginal land 673w

Shepherd, Mr Colin
Questions
Prisoners' home leave 17w

Shepherd, Mr Richard
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 103–5, 113
Questions
Birmingham relief road, Public inquiries 283w

Shersby, Mr Michael
Questions
M25, Motorway service areas 572w

Shipbuilding
Pallion Engineering 316w

Shipping
Research finance 518w

Shipping registration
159w

Shops
Farms 240–1w

Shore, Rt Hon Peter
Debates etc.
Trade competitiveness (24.05.94) 192

Short, Ms Clare
Questions
Availability for work 578w
Employment schemes, Disclosure of information 411–2w
Northern Ireland government 291w
Training and enterprise councils, Licensing 639w

Simpson, Mr Alan
Debates etc.
Education (24.05.94) 205–6
GATT (14.06.94) 570–4
Questions
Apprentices 412w
Iran, Terrorism 112w
Pre-school education 473–4w

Sims, Mr Roger
Questions
Police and Magistrates' Courts Bill 1993/94 559–60w

Sinn Fein
Anglo-Irish talks 741
Northern Ireland government 741
Terrorism 742

Sites of special scientific interest
Rivers 568w

Sixth form education
Grant maintained schools 511
Schools 511

Sizewell B
"This Common Inheritance Third Year Report" 96w

Skinner, Mr Dennis
Debates etc.
Access to Parliament, Points of order (23.05.94) 21–2
Bosnia-Herzegovina, Armed conflict (25.05.94) 349
Business questions intervention (16.06.94) 761
Oral question time intervention (24.05.94) 179, (14.06.94) 514
Trade competitiveness (24.05.94) 193, (17.06.94) 921, 924–6
Questions
Business questions 337–8, 759–60
Grant maintained schools, Derbyshire County Council 505
Palace of Westminster, Access to buildings 9

Skomer Island
Tanker ships 57–8w

Slaughterhouses
Animal welfare 440w
Cattle 195–6w
Food labelling 440w

Slaughterhouses—continued
  Horses 440w
  Inspections 181w
  Northern Ireland 195–6w
  Sheep 435w
  Spain 435w
  Vocational training 287w

Sleeping rough
  Greater London 585w, 626w, 632w, 643w, 669–70w, 675w, 695w

Small businesses
  Audit 77–8w
  Research finance 117w
  Tax allowances 356w
  Trade competitiveness 423w

Small claims
  Legal opinion 3w
  Legal representation 4w

Smith, Mr Andrew
  Questions
  Campsfield House Detention Centre, Hunger strikes 693w
  Deportation, Costs 693w
  Mukasa, Richard, Immigrant detainees 675w

Smith, Mr Chris
  Questions
  Air pollution control, Carbon dioxide 335–6w
  Climate change convention 339–40w, 370–1w
  Gun sports, Noise control 150w
  National Environmental Technology Centre 75w
  Nature reserves, Somerset levels 338–9w
  Planning permission, Out of town shopping centres 340w
  Post Office, Corporation tax 351w
  Postal services, VAT zero rating 630w
  Road construction, Civil servants' business appointments 523w, 526w
  Straw burning 143–4w
  Water treatment, EC law 341w

Smith, Sir Dudley
  Questions
  Trade associations 118w

Smith, Mr Llew
  Debates etc.
  Local Government (Wales) Bill (HL), Rep (15.06.94) 635, 637, 663
  Questions
  Arms imports 219w
  Ballistic missile defence, Contracts for services 528w
  Campaign for Nuclear Disarmament, Publications 231w
  Chapelcross power station 208w
  "Code of Practice on Access to Government Information", Attorney General 327w
  "Code of Practice on Access to Government Information", Chancellor of the Duchy of Lancaster 432w
  "Code of Practice on Access to Government Information", Dept of Employment 407w
  "Code of Practice on Access to Government Information", Dept of Health 299w
  "Code of Practice on Access to Government Information", Dept of National Heritage 453w
  "Code of Practice on Access to Government Information", Dept of Social Security 362w
  "Code of Practice on Access to Government Information", Dept of the Environment 333–4w
  "Code of Practice on Access to Government Information", Dept of Trade and Industry 421w
  "Code of Practice on Access to Government Information", Dept of Transport 514–5w

Smith, Mr Llew—continued
  "Code of Practice on Access to Government Information", Foreign and Commonwealth Office 399w
  "Code of Practice on Access to Government Information", Home Office 280w
  "Code of Practice on Access to Government Information", Lord Chancellor's Dept 621w
  "Code of Practice on Access to Government Information", Ministry of Agriculture Fisheries and Food 439–40w
  "Code of Practice on Access to Government Information", Ministry of Defence 528w
  "Code of Practice on Access to Government Information", Northern Ireland Office 448w
  "Code of Practice on Access to Government Information", Prime Minister 369w
  "Code of Practice on Access to Government Information", Scottish Office 460w
  "Code of Practice on Access to Government Information", Treasury 353w
  "Code of Practice on Access to Government Information", Welsh Office 545w
  Crown Agents, Security industry 393w
  EC Energy Council 422w
  EC Transport Council 633–4w
  Environment protection, Industry 95w
  Environment protection, Ministerial duties 152w
  Environment protection, Wales 652–3w
  EURATOM, USA 319w
  Export licensing, Fences 421w
  Fire prevention 407w
  Genetic engineering, Data banks 153w, 433w
  Genetics, Research 296w
  Health physics, Death 128w
  Incapacity benefit, Multiple sclerosis 49–50w, 193–4w
  Industrial accidents, Death 47w
  Ionizing radiation, Scotland 207–8w
  Iran, Human rights 397–8w
  Iran, IRA 398–9w
  Iran, Terrorism 397w
  Iraq, Nuclear weapons 185–6w
  Multiple sclerosis, Wales 177w
  NATO, Nuclear non proliferation 528w
  Nigeria, Tanks 189w
  North Korea, Nuclear reactors 186w
  North Korea, Nuclear safeguards 186w
  Nuclear weapons tests, Health hazards 231w
  Parliamentary Counsel, Private Members' bills 225w
  Pepper gas 604w
  Radioactive waste disposal 96w
  Radioactive waste disposal, Cumbria 361w
  Radioactive wastes, Japan 342w
  Radioactive wastes, Pollution 651–2w
  Rights of way, Wales 555–6w
  Saudi Arabia, Human rights 41w
  Security industry, Exhibitions 421w
  Sizewell B, "This Common Inheritance Third Year Report" 96w
  Somalia, World Health Organisation 394w
  Sugiasti, Titi, Indonesia 400w
  Sustech programme 118w
  System X exchanges, Exports 422w
  Terrorism 399–400w
  "This Common Inheritance Third Year Report" 83w
  THORP 86w
  THORP, Nuclear fuel reprocessing 428w
  Trade competitiveness, Environment protection 422–3w
  United Kingdom Atomic Energy Authority, Radioactive waste disposal 76w
  United Kingdom NIREX 152w

***Smith, Mr Tim**, Parliamentary Under-Secretary of State, Northern Ireland Office*
  Questions
  Companies, Northern Ireland 199w
  Council housing, Heating 650w
  Driving licences, Post offices 447–8w
  Employment opportunities, Foreign investment in UK 294w
  Fair Employment (Northern Ireland) Act 1989 293w
  Foreign investment in UK, Northern Ireland 650w
  Housing Association Tenants' Ombudsman, Northern Ireland 450w
  Making Belfast work programme 648w
  Motor vehicle registration, Northern Ireland 650w
  NHS internal market, Northern Ireland 747
  Northern Ireland Housing Policy Advisory Group, Public appointments 198w
  Northern Ireland Pre-School Playgroups Association, Training 293w
  Planning inquiries, Northern Ireland 445–6w
  Public sector housing, Castlereagh 196w
  Road tax, Northern Ireland 361w
  Road tolls, Northern Ireland 197w
  Sea transport, Northern Ireland 747
  Self-employed, Northern Ireland 199w
  Training, Northern Ireland 197–9w
  Unemployment, Northern Ireland 291w

Smoking
  Cancer 35w

Smyth, Rev Martin
  Debates etc.
  Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 264–5
  Questions
  Business questions 338
  Community care 170
  Employment opportunities, Foreign investment in UK 294w
  Making Belfast work programme 648w
  Northern Ireland government 740
  Organ donors 119w

Snape, Mr Peter
  Debates etc.
  Railway pension orders (23.05.94) 138
  Questions
  Bridges, Lorries 135w
  Lorries 55–6w

***Soames, Mr Nicholas**, Parliamentary Secretary for Agriculture*
  Questions
  Agricultural land, Water pollution 435–6w
  Animal welfare 436–7w, 440w
  Blue ear pig disease, Disease control 141w
  Cattle, EC internal trade 309w
  Export of live animals 436–9w
  Food additives, EC law 672w
  Import of live animals, Channel tunnel 309w
  Nuts, Allergies 182w
  Organophosphorous pesticides, Sheep dipping 182w
  Scrapie 440w
  Slaughterhouses, Animal welfare 440w
  Slaughterhouses, Food labelling 440w
  Slaughterhouses, Horses 440w
  Slaughterhouses, Inspections 181w
  Slaughterhouses, Sheep 435w
  Transport of animals, Animal welfare 148w
  Veterinary services, Inspections 438–9w

Social fund
  582–4w, 681–2w
  Wandsworth 250w

Social security
  Immigration (European Economic Area) Order 1994 10w

Social security abuse
  Northern Ireland 291w

Social security benefits
362w, 367w
Exservicemen 106w

Social Security Benefits Agency
Computers 581w, 583–4w

Social security benefits disqualification
Income support 361w
Voluntary work 365w

Social security benefits reductions
Pensioners 193w

Social security claims
Administrative delays 361w

Social security payments
40–1w

Social security recipients
Independent Living 1993 Fund 363–4w

Social Security (Sickness & Invalidity Benefit & Severe Disablement Allowance) Miscellaneous Amendment Regulations 1994
Questions
365w

Social workers
Child safety 302w

Soley, Mr Clive
Questions
Fair Employment (Northern Ireland) Act 1989 293w
Insolvency Service, Privatisation 324w
Railway network, Noise control 133w
Security, Northern Ireland 742–4

Solvent abuse
(25.05.94) 372–5

Somalia
World Health Organisation 393–4w

Somerset levels
Nature reserves 338–9w

South Africa
616–7
Commonwealth 46w, 395w
EC external relations 6129
Exports 616
Foreign policy 616
Know-how Fund 140w
Legislature 188–9w
Rwanda 617

South Ayrshire Hospitals NHS Trust
331–2

South Yorkshire
Doctors 124w
Health services 294–5w
Nurses 124w

Southall
Town halls 11

Southwark
Employment opportunities 409w

Sovereignty
Argentina 624–5

Space technology
British Aerospace 316w
Marconi 316w

Spain
Ferries 55w, 516w
Fishing limits 182w
Slaughterhouses 435w

***Speaker and deputies**, For rulings & statements see separate heading Speaker's rulings & statements*
Debates etc.
Amendments and new clauses (23.05.94) 26, 45–6, 75–6, 101, (15.06.94) 634–5, 672, 687, 699, (16.06.94) 769, 799, 805, 821, 826, 829–30, 834, 836–7
Business questions (25.05.94) 339
Calling of Members (24.05.94) 166, 176, (14.06.94) 514
Calls to order (24.05.94) 184–5, 187, 189, 214, (14.06.94) 505, 509, 513–4,

***Speaker and deputies**—continued*
(15.06.94) 672, (16.06.94) 789, (17.06.94) 922–3, 925
Members' conduct (14.06.94) 541
Members' interventions (23.05.94) 67, (25.05.94) 364, (26.05.94) 488, (16.06.94) 772
Members' speeches (24.05.94) 242, (15.06.94) 632, 667, (16.06.94) 771, 810, 814, 819
Ministerial statements (24.05.94) 191, 194, 196, 202, 206
Orders and regulations motions (23.05.94) 24, 128, (24.05.94) 208, (16.06.94) 766
Points of order (23.05.94) 21–4, (24.05.94) 182, 208, (26.05.94) 489, (14.06.94) 517, (15.06.94) 629–30, (16.06.94) 765–6, 772, (17.06.94) 869, 894, 909, 921–3
Private Members' bills, 2R order read (17.06.94) 938
Royal Assent (26.05.94) 449
Scope of debate (23.05.94) 37, 53, 63, 140, (26.05.94) 483–5, 488, (15.06.94) 640, (16.06.94) 771, 789, 814, 850, (17.06.94) 925
Supplementary questions (23.05.94) 9, (24.05.94) 166, 170, 179, (14.06.94) 501, 507, (16.06.94) 750

Speaker's rulings and statements
House of Commons Chamber (24.05.94) 224
Members' conduct (25.05.94) 342

Spearing, Mr Nigel
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 82–5, 89, 106, 109, 118–20
Education (24.05.94) 201, 206
Members' conduct, Bottomley, Virginia (25.05.94) 359–61
Recess motions (25.05.94) 387
Questions
Jubilee line, Construction costs 60w
Post Office 324–5w
Royal Mail, Privatisation 325w

Special aids to employment scheme
Facsimile transmission 48–9w

Special education
Codes of practice 471w
Grant maintained schools 504
Northern Ireland 449w
School meals 449w

Special Operations Executive
Public records 596w

Special protection areas
149–50w
Portsmouth Harbour 150w

Speech therapy
Scotland 459w

Speed, Sir Keith
Questions
Alcoholic drinks duties 179w
Helicopters, Iraq 232w

Spellar, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 65
Immobilisation of vehicles, Private property (25.05.94) 377–80
Questions
Armed forces, Redundancy pay 530w
Business questions 337
Fire prevention, Safety measures 630w
Graduates 476w
House renovation grants, Employment opportunities 332–3w
Local government finance, West Midlands 236w
National Council for One Parent Families, Government grants 41w
Sewers, Repairs and maintenance 333w
Wei, Jingsheng, China 400w
"Wheelclamping on Private Land Consultation Paper" 162w

***Spencer, Sir Derek**, Solicitor-General*
Questions
Centre for Policy Studies 15–6
Centre for Policy Studies, Essex 13
Centre for Policy Studies, Hereford and Worcester 15
Crown Prosecution Service 47w

Spicer, Sir Jim
Questions
South Africa, Rwanda 617

Spink, Dr Robert
Debates etc.
Cyprus (26.05.94) 425–7
Questions
Business questions 338
Gazumping 149w
Horticulture 79w
Industrial democracy 168w
Maxwell companies, Pension funds 193w

Spoil heaps
Planning permission 335w

Sports
81w
Citizen's Charter 648w
Conferences 7–8
Government grants 98w
Handicapped 80w
Scotland 205w
Women 7–8
Young people 2–3

Sports Council
National Lottery Distribution Fund 81w

Sports facilities
Scotland 204w

Sportsgrounds
Football 227–9w

Spring, Mr Richard
Questions
Museums and galleries 80w
NHS trusts, Suffolk 120w
Private Members' bills, Amendments and new clauses 230w
Security, Northern Ireland 742–3
South Africa, Foreign policy 616

***Sproat, Mr Iain**, Parliamentary Under-Secretary of State, Dept of National Heritage*
Questions
British Road Transport Museum 183w
Civil servants' business appointments, Dept of National Heritage 646–7w
Code of Practice on Access to Government Information, Dept of National Heritage 453w
Consultants, Northern Ireland Office 450–2w
D-Day landings, Festivals and special occasions 98w
Departmental publications, Dept of National Heritage 647w
Festivals and special occasions, D-Day landings 78w
Historic Royal Palaces Agency, Income 185w
Horticulture 79w
Museums and galleries 80w, 183w
Museums and galleries, Road transport 184w
National Railway Museum 78w
Outdoor education, Safety standards 81w
Palace of Westminster, Access to buildings 9
Private Members' bills, Dept of National Heritage 647w
Repetitive strain injury, Dept of National Heritage 185w
Royal residences 184–5w
Royal residences, Income 647w
Rugby, Wales 647–8w
Science Museum 185w
Security, Dept of National Heritage 670w
Sports 81w
Sports, Citizen's Charter 648w
Sports, Government grants 98w

Sproat, Mr Iain—continued
Sports, Handicapped 80w
Sports, Women 7–8
Sports, Young people 2–3
Tourism 8–9, 11–2, 79w
Tourism, Beaches 82w
Tourism, Blackpool 9
Tourist industry, Deregulation initiative 12–3
Tourist industry, Training 78–9w
Town halls, Southall 11

Squire, Ms Rachel
Questions
Armed forces, Forth Valley 529–30w
Defence costs study 529w
Devonport dockyard, Trident submarines 72w
Economic situation, Scotland 201w
Maintenance, Children 246–7w
Mental health services, Scotland 92w, 241–2w
Rescue services 529w

***Squire, Mr Robin**, Parliamentary Under-Secretary of State, Dept for Education*
Questions
Adult education, Hereford and Worcester 502
Curriculum, Ecology 486w
Curriculum, Ethnic minorities 487w
Dearing Review 137–8w, 472w
Educational assessment 477w
English education 472–3w
General cetificate of secondary education 473w
Grant maintained schools 313–5w, 506–7, 509–10
Grant maintained schools, Primary education 312–3w
Grant maintained schools, Publicity 478w
Grant maintained schools, Voting methods 478–9w, 506, 509
Grant Maintained Schools Centre 477–8w
Grant Maintained Schools Foundation, Government grants 46w
Hereford and Worcester County Council, Educational finance 502
History, Curriculum 472w
Muslim Girls Community School Bradford, Voluntary schools 46–7w, 488w
Non-teaching staff, Training 489w
Pre-school education 312w, 473–4w, 503–4
Pre-school education, Ealing Borough Council 503
Primary education, Redbridge 474w
Pupil records 476–7w
Religious education 485–6w
School administration 139w
School administration, Research 139–40w
School admission, Appeals 483–4w
School admission, Secondary education 479w
School choice 476w, 483w
School population 313–4w
Schools and parents, Complaints 480w
Teacher training 511
Teacher training, Schools 510–1
Teacher Training Agency, Public appointments 171w, 479w
Teachers, Early retirement 172w
Teachers, Kent 137w
Technology colleges, Essex 486–7w

Standard spending assessments
236w, 568w

Standing Advisory Committee on Trunk Road Assessment
283w, 519w

Standing charges
Energy prices 600–1w

Stanley, Rt Hon Sir John
Questions
Gypsies, Caravan sites 345w
Rwanda, Overseas aid 17

Statutory Instruments Joint Select Committee
(26.05.94) 419

Steel, Rt Hon Sir David
Questions
South Africa 616–7

Steen, Mr Anthony
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 47, 52, 61–4, 67
Questions
Armed forces housing, Empty housing 71w
Centre for Policy Studies, Performance standards 15

Steinberg, Mr Gerry
Questions
Citizen's Charter, Handicapped 224–5w
Educational psychology, Manpower 138w, 480w

Stephen, Mr Michael
Debates etc.
Armed forces discharges, Pregnant women (25.05.94) 414
Questions
Business questions 756
Wilton Park Executive Agency 596w

Stern, Mr Michael
Questions
Small businesses, Audit 77–8w

Stevenson, Mr George
Questions
Business questions 758

***Stewart, Mr Allan**, Parliamentary Under-Secretary of State, Scottish Office*
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 220, 237, 256–8
Questions
Accident and emergency departments, Scotland 206w
Ambulances, Driving 202w
Breast cancer, Screening 658–9w
Cancer, Scotland 456w
Community care, Scotland 323
Community care, Tayside 320–1
Council of Ministers 658w
Crosshouse Hospital, Design 659–60w
Crosshouse Hospital, Repairs and maintenance 659w
Economic situation, Scotland 205w
Family doctors, Home visits 605–6w
Forth Valley Health Board 318
Geriatric patients, Scotland 201w
Glasgow Royal Infirmary, Hospital beds 605w
Glasgow Royal Infirmary NHS Trust, Conditions of employment 317
Health Care International 657w
Health service staff, Day care of children 465w
Health services, Lothian Health Board 20w
Health services, Scotland 205w
Hospital closures, Grampian 323
Hospital waiting lists, Scotland 330–1
Hospital waiting lists, Wales 659w
Hypermarkets, Planning permission 469w
Local enterprise companies, Land pollution 468–9w
Local government expenditure, Scottish councils 201w
Local government reform, Employment protection 207w
Local government reform, Redundancy 242w
Local government reform, Scotland 202–3w
Local government services, Scotland 205w
Local government staff, Scotland 203w
Manufacturing industries, Scotland 204w
Meigle Cottage Hospital 320
Mental health services, Scotland 92w, 241–2w

Stewart, Mr Allan—continued
Mental Welfare Commission for Scotland 94w
NHS, Complaints 606w
NHS, Scotland 204w
NHS trusts, Contracts of employment 243–4w
NHS trusts, Disclosure of information 21w
NHS trusts, Scotland 205w, 245w, 317–8, 463w
Nurses, Scotland 457w, 604w
Nurse training, Scotland 457w
Operating theatres, Scotland 459w
Raigmore Hospital, Recruitment 331
Ravenscraig steelworks 327–8
Ravenspark Hospital, Hospital closures 611w
Scottish Ambulance Service 201–2w
Scottish Ambulance Service, NHS trusts 202w, 456–7w
Scottish health boards, Cars 462w
Scottish health boards, Scotland 606w
"Shaping the New Councils", Scotland 93w
South Ayrshire Hospitals NHS Trust 331–2
Speech therapy, Scotland 459w
Surgery, Hospital consultants 460w
Training, Scotland 203w
Trauma centres, Scotland 205w, 461w
Tuberculosis, Scotland 92w
Turing Institute, Company liquidations 467–8w
Western General Hospital NHS Trust, Sex change operations 455–6w

Stott, Mr Roger
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 299–302
Questions
Tape recorded evidence, Northern Ireland 746

Stoy Hayward
Insolvency Service 427w
Official receiver 324w

Strang, Dr Gavin
Questions
Agricultural workers, Average earnings 144w
Bovine spongiform encephalopathy 310w, 441w
European fighter aircraft 108–9w
Grazing land, Environment protection 443–4w
Health services, Lothian Health Board 20w
Hill farming 147w
Inheritance tax, Agricultural land 9w
Integrated administration and control system 310–1w
Marginal land 144–8w
Marginal land, EC countries 673w
River Tay, Fishing 206w
Tenant farmers 672w
Tenant farmers, Marginal land 673w

Strathclyde Regional Council
Railway network 608w

Straw, Mr Jack
Questions
Environmental Research, Research finance 567w
Local authorities, Newspaper press 95–6w
Local government expenditure, EC countries 157w
Local government finance 156–8w
Local government functions, EC countries 331w
Non-domestic rates, Appeals 95w
Standard spending assessments 236w
Training and enterprise councils, Executives 639w

Straw burning
143–4w

Streeter, Mr Gary
Debates etc.
Trade competitiveness (17.06.94) 901, 905–10
Questions
Hazardous wastes, Imports 569–70w
Italy, Foreign policy 614

Stress management
Prisoners 266–7w

Stress related illnesses
Family doctors 623w

Student grants
369w, 474w, 484w, 508–9

Student loans
499–500
Student numbers 499

Student numbers
508
Mature students 138w
Student loans 499

Students
Finance 475w

Sudan
Peace negotiations 406w
Sanctions 45w

Suffolk
NHS trusts 120w

Sugiasti, Titi
Indonesia 400w

Suicide
Children 122w
Paracetamol 122w
Prisoners 256–7w, 269w
Prisons 22–30w
Rural areas 302w

Sulphur dioxide
Air pollution control 154–6w

Sumberg, Mr David
Questions
M62, Compulsory purchase 159–60w

Sunderland Health Authority
Fertility 622w

Supreme Court Act 1981
Questions
91w

Surgery
Carmarthen and District NHS Trust 654w
Eye disorders 623w, 695w
Greater London 621w
Heart diseases 621w
Hospital consultants 460w
Hospital waiting lists 33w
Pembrokeshire NHS Trust 654w
Screening 297w
Wales 655w, 695w

Sustech programme
118w

Sutcliffe, Mr Gerry
Debates etc.
Members' oath and affirmation (14.06.94) 517

Swan Hunter Shipbuilders
532w
Frigates 694–5w

Sweeney, Mr Walter
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 649–51, 657–8

Sykes, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 49–52, 56, 71
Trade competitiveness (17.06.94) 874, 886, 888
Questions
Hospitals, Performance standards 121w
Military exercises, Fishing vessels 233–4w

Syrian Arab Republic
Arms embargoes 224w

System X exchanges
Exports 422w

Takeovers
British Aerospace 231w
Cheltenham and Gloucester Building Society 308w

Tan, George
Hong Kong 398w

Tanker ships
Skomer Island 57–8w

Tanks
Nigeria 189w

Tape recorded evidence
Northern Ireland 745–6
Terrorism 746

Tapsell, Sir Peter
Questions
Official engagements 103w, 288w, 370w, 631w

Tax allowances
Small businesses 356w

Tax evasion
Alcoholic drinks duties 179w, 454w
Road tax 520–3w
Scotland 454w

Tax rates and bands
180–2w

Tax thresholds
Pensioners 358–60w

Tax yields
Alcoholic drinks duties 306w
Personal tax allowances 352–3w

Taxation
95w, 749–50
Economic situation 560w

Taylor, Mrs Ann
Questions
Dept for Education, Publicity 501–2
Educational assessment 477w
Non-teaching staff, Training 489w
Pre-school education 503–4

Taylor, Mr Ian
Debates etc.
GATT (14.06.94) [illegible]4, 545–53
Hypermarkets, Town & country planning (26.05.94) 461–5
Questions
Germany, EC presidency 592w

Taylor, Rt Hon John David
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 301, 304
Questions
Cairnshill School 194–5w
Cattle, Slaughterhouses 195–6w
Community policing, Castlereagh 449w
Crime, Castlereagh 196w
Cyprus, International organisations 113w
Police patrolling, Castlereagh 196–7w
Public sector housing, Castlereagh 196w
Security, Northern Ireland 742–3
Student grants 508–9

Taylor, Mr John M, Parliamentary Secretary, Lord Chancellor's Dept
Questions
Barristers, Ethnic minorities 330w
Cellular phones, Lord Chancellor's Dept 149w
"Code of Practice on Access to Government Information", Lord Chancellor's Dept 621w
Consultants, Lord Chancellor's Dept 149w
Courts, Administrative costs 406w
Courts, Expenditure 329w
Divorce, "Looking to the Future Consultation Paper" 665–6w
Domestic violence, Trials 330w
"Domestic Violence and Occupation of the Family Home" 562w
Gazumping 149w

Taylor, Mr John M—continued
Judges, Administration of justice 5w
Judges, Training 328w
Judiciary, Equal opportunities 6w
Judiciary, Public appointments 327–9w
Juries, National insurance contributions 245w
Juries, Unemployed 250w
Legal aid scheme, Franchising 330w, 406w, 666w
Legal opinion, Personal injury 4–5w
Legal opinion, Small claims 3w
Legal representation, Small claims 4w
Legal Services Ombudsman, Annual reports 562w
Magistrates' courts, Belmarsh 5w
MV Lloyd Pacifico 91–2w
Personal injury, Medical malpractice 5w
Personal injury compensation 5w
Private Members' bills, Lord Chancellor's Dept 328w
Repetitive strain injury, Lord Chancellor's Dept 329w

Taylor, Mr Matthew
Questions
Capital gains tax 354w
Corporation tax 354w
PAYE 354w
Schedule D income tax 351w

Taylor, Sir Teddy
Questions
Business questions 756–7
Congenital abnormalities 121w
EC external trade 627
EC law 288–9w
Lockerbie, Bombings 319–20
Treaty on European Union, Information 223w
Youth employment, EC law 167w, 285–6w

Tayside
Community care 320–1

Teacher training
511
Schools 510–1

Teacher Training Agency
Public appointments 171w, 479w

Teachers
Early retirement 172w
Kent 137w
Primary education 618w
Wales 547–8w

Teaching company scheme
175–6w

Technology colleges
Essex 486–7w

Technology foresight programme
Seas and oceans 434w

Telephone services
Child Support Agency 248–9w
NHS 301w
Road works 51–2w

Telephones
A19 282w

Television licences
Fees and charges (24.05.94) 209–11, 227w

Television Licences (Reduction for Poor Reception) Bill 1993/94
Debates etc.
1R (24.05.94) 209–11

Television reception
82w

10 Downing Street
Finance 566w

Tenancy agreements
Council tenants 151–2w

Tenant farmers
672w
Marginal land 673w

Tenants' incentive scheme
London boroughs 341–2w

Terrorism
399–400w
Ards 446–7w
Arrests 446–7w
International cooperation 112w, 674w
IRA 741–2
Iran 112w, 397w, 674w
Northern Ireland 448w
Sinn Fein 742
Tape recorded evidence 746

Thailand
Thatcher, Margaret 103w

Thatcher, Margaret
Australia 289w
Indonesia 102–3w
Jordan 103w, 158w
Malaysia 289w
Ministers' visits abroad 103w
Thailand 103w

"This Common Inheritance Third Year Report"
83w
Sizewell B 96w

Thompson, Sir Donald
Questions
Calderdale Borough Council, Contracts for services 239–40w
Immigration rules 99w
Ukraine, Foreign relations 591w

Thompson, Mr Patrick
Debates etc.
Trade competitiveness (17.06.94) 879, 893–7, 936
Questions
Education, Private investment 475w
Italy, EC action 623–4

Thornton, Sir Malcolm
Debates etc.
Education (24.05.94) 202

THORP
86w
British Nuclear Fuels 342–3w
Nuclear accidents 602w
Nuclear fuel reprocessing 428w

Thurnham, Mr Peter
Debates etc.
Access to Parliament, Points of order (23.05.94) 22
Trade competitiveness (17.06.94) 918–9, 934
Questions
BBC, Conditions of employment 4
Children Act 1987 302w
Hospital admissions, North West region 176
Social security abuse, Northern Ireland 291w

Timms, Mr Stephen
Debates etc.
Members' oath and affirmation (14.06.94) 517

Tipping, Mr Paddy
Questions
Air pollution monitoring, Nottingham 632w
Arable area payments scheme, Northern Ireland 448–50w
Arable area payments scheme, Scotland 462w
Arable area payments scheme, Wales 548w
British Coal Corporation, Privatisation 425w, 670w
British Gas, Privatisation 425w
Forestry Commission, Privatisation 204w
NHS trusts, Nottinghamshire 214–5w
Planning permission, Coal mining 335w
Social fund 582–4w, 681–2w
Standard spending assessments 568w

Tobacco
Fire prevention 318w

Tobacco advertising
Health hazards 301w

Torture
India 188w

Tourism
8–9, 11–2, 79w
Beaches 82w
Blackpool 9

Tourist industry
Deregulation initiative 12–3
Training 78–9w

Town and country planning
Out of town shopping centres (26.05.94) 461–8
Wales 654w

Town and Country Planning General Development Order 1988
Questions
154w

Town halls
Southall 11

Townsend, Mr Cyril D
Debates etc.
Metropolitan Police, Police firearms (16.06.94) 861–4
Questions
Cross border cooperation in Ireland, Security 649–50w
Israel, Lebanon 628
Security, Northern Ireland 292w

Tracey, Mr Richard
Debates etc.
Education (24.05.94) 206
Questions
London Underground, Performance standards 283w
National Lottery 10

Tractors
Road accidents 563–4w

Trade associations
118w

Trade competitiveness
Environment protection 422–3w
Industrial production 603w
Manufacturing industries 629w
Ministerial statements (24.05.94) 183–96
Private members' motions (17.06.94) 869–937
Small businesses 423w

Training
Health visitors 617w
Judges 328w
Ministerial statements (24.05.94) 197–207
Non-teaching staff 489w
Northern Ireland 197–9w
Northern Ireland Pre-School Playgroups Association 293w
Scotland 203w, 324–5
Tourist industry 78–9w

Training and enterprise councils
167–8w
Civil servants' business appointments 665w
Executives 639w
Licensing 639w
Wales 128w

Trans-European networks
Railway network 284–5w
Road construction 284w
Roads 284w

Transplant surgery
Organ donors 625w

Transport of animals
Animal welfare 148w

Transport of radioactive materials
Nuclear submarines 535w

Transport policy
Cycling 669w
Environment protection 161w

Transport Research Laboratory
134w

Trauma centres
Scotland 205w, 461w

"Travel Information Manual"
694w

Travelling people
Bradford 241w
Scotland 93w

Trawsfynydd power station
Health hazards 655–7w

Treasure Bill (HL) 1993/94
Debates etc.
2R order read (17.06.94) 938

Treasure trove
452w

Treasury
Cash limits 561–2w
Civil servants' business appointments 560w
"Code of Practice on Access to Government Information" 353w
Consultants 349–51w
Defence costs study 529w
Departmental publications 355w
Private Members' bills 306w
Repetitive strain injury 178w
Security 626w

Treasury Solicitors Dept
De Lorean 327w
International Military Services 326w

Treaties
615
Air pollution control 154–6w

Treaty on European Union
616
Information 223w

Tredinnick, Mr David
Debates etc.
Child Support Agency (26.05.94) 439–43, 448

Trend, Mr Michael
Debates etc.
Trade competitiveness (17.06.94) 870, 887–90, 914–5, 926–9
Questions
Occupational pensions, Insolvency 249–50w

Trent Regional Health Authority
Accident and emergency departments 209w

Trials
Domestic violence 330w
Hong Kong 398w
Rape 463–5w

Trident missiles
Testing 234w, 537w

Trident submarines
Devonport dockyard 72w

Trimble, Mr David
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 290–4, 303
Questions
Channel Four, Accounting 4
Foreign students 171–2w
Foreign students, Scotland 454–5w
Northern Ireland Office, Open government 649w
Prevention of Terrorism (Temporary Provisions) Act 1989, Journalists 199w
Tape recorded evidence, Terrorism 746
Treaties 615

Truancy
474w

Tuberculosis
District health authorities 29–30w
Scotland 92w

Turing Institute
Company liquidations 467–8w
Scottish Enterprise 467–8w

Turkey
  Immigration rules 9w, 101w
  Kurds 397w

Tyler, Mr Paul
  Questions
  Arable area payments scheme, Wales 672w
  Food additives, EC law 672w
  Grazing land, Environment protection 572w
  Hill livestock allowances, Environment protection 572w
  Milk, Agricultural marketing 672w

Uganda
  Debts 18
  Overseas aid 17–8

UK delegations
  UN Conference on Population and Development 18w

Ukraine
  Foreign relations 591w

UN
  see United Nations

UN agencies
  UK contributions 398w

UN Conference on Environment and Development
  237–8w

UN Conference on Population and Development
  UK delegations 18w
  Voting methods 18w

UN Convention on Biological Diversity
  569w

UN Convention on the Law of the Sea
  401–2w

UN Convention on the Rights of the Child
  378w, 692w

Unemployed
  Juries 250w

Unemployment
  (25.05.94) 352–6, 515–6
  Disabled workers 286–7w
  Greater London 410w, 413–4w
  Men 410w
  Northern Ireland 291w

United Kingdom Atomic Energy Authority
  Consultants 172w
  Decommissioning 670w
  Radioactive waste disposal 76w
  Relocation of employees 419w

United Kingdom NIREX
  152w

United Nations
  International assistance 17–8w

Universities
  Advertising 92w
  Scotland 92w

University teachers
  Medical education 488w

Urban railways
  (24.05.94) 307

USA
  Army bases 232w
  Cuba 622
  EURATOM 319w
  Hazardous wastes 150–1w

Vacancies
  Hospital consultants 587–8w, 592w

Vaccination
  Young people 299w

Van Miert, Karel
  114w

VAT
  Energy prices 177–8, 512–3
  School fees 360w

VAT zero rating
  Postal services 630w

Vaughan, Sir Gerard
  Debates etc.
  Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 299

Vaz, Mr Keith
  Debates etc.
  Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 (25.05.94) 391–4
  Questions
  Cellular phones, Attorney General 170–2w
  Cellular phones, Dept of Social Security 40w
  Cellular phones, Dept of the Environment 84w
  Cellular phones, Foreign and Commonwealth Office 41–2w
  Cellular phones, Home Office 10w
  Cellular phones, Lord Chancellor's Dept 149w
  Cellular phones, Lord President of the Council 107w
  Cellular phones, Ministry of Agriculture Fisheries and Food 309w
  Cellular phones, Northern Ireland Office 194w
  Cellular phones, Prime Minister 1w
  Cellular phones, Scottish Office 206w
  Divorce, "Looking to the Future Consultation Paper" 665–6w
  Immigration applications 693w
  Legal aid scheme, Franchising 666w
  Local government revenue, Council house sales 156w

Vehicle Identification Bill 1993/94
  Debates etc.
  1R (25.05.94) 343–5

Vehicle Inspectorate
  Expenditure 509w
  Finance 510w

Veterinary services
  Inspections 438–9w

Viggers, Mr Peter
  Debates etc.
  Education (24.05.94) 203
  Questions
  Princess Alexandra Hospital 537w

Violence
  London Underground 59–60w
  Mental hospitals 680–1w, 687w
  Railway workers 525w

VIP protection
  163w

Visegrad countries
  EC integration 593w

Vocational training
  Immigration (European Economic Area) Order 1994 101w
  Slaughterhouses 287w

Voluntary organisations
  European Social Fund 166w

Voluntary schools
  Muslim Girls Community School Bradford 46–7w, 488w

Voluntary work
  Social security benefits disqualification 365w

Voting methods
  Council of Ministers 179
  Grant maintained schools 478–9w, 506, 509
  UN Conference on Population and Development 18w

Wakefield
  Inland Revenue 94w

Waldegrave, Rt Hon William, Chancellor of the Duchy of Lancaster
  Questions
  Civil servants' business appointments, Chancellor of the Duchy of Lancaster 565–6w
  "Code of Practice on Access to Government Information", Chancellor of the Duchy of Lancaster 432w
  Departmental publications, Chancellor of the Duchy of Lancaster 434w
  Electronic mail, Government departments 97w
  Genetic engineering, Data banks 433w
  Necrotising fasciitis, Medical research 433–4w
  Non-departmental public bodies, Chancellor of the Duchy of Lancaster 226–7w
  Office of Public Service and Science, Cash limits 565w
  Parliamentary Counsel, Private Members' bills 225w
  Post Office, Privatisation 433w
  Press releases, Open government 97w
  Private Members' bills, Chancellor of the Duchy of Lancaster 227w
  Property Holdings, Civil service agencies 225–6w
  Science and technology research, Cash limits 565w
  Technology foresight programme, Seas and oceans 434w

Walden, Mr George
  Questions
  M40, A5 525w

Wales
  Accident and emergency departments 614w
  Agricultural Development and Advisory Service 234–5w
  Arable area payments scheme 548w, 672w, 698–700w
  Birds of prey 132w
  Care and repair initiative 37w, 177w
  Charities 652w
  Courts 406w
  Coxsackie virus 615w
  Dearing Review 133w
  Employment 130–1w
  Energy conservation 38w
  Environment protection 652–3w
  Forests 537–8w
  General certificate of secondary education 132–3w
  Government grants 696w
  Government grants to local authorities 538–46w
  Government grants to voluntary organisations 615–7w
  GP fundholders 653w
  Headteachers 131w, 547w
  Health authorities 548–50w
  Health education 655w
  Health service staff 167
  Health visitors 614w, 617w, 651–2w
  Hip replacements 613w
  Home care services 655w
  Hospices 551w
  Hospital consultants 654w, 696w
  Hospital waiting lists 617–9w, 659w
  Housing Association Tenants' Ombudsman 450w
  Hypermarkets 653w
  Interreg programme 234w
  Invalidity benefits 582w
  Legislation 415–6w
  Local government (15.06.94) 634–727, (16.06.94) 768–852
  Local government reform 133w
  Local government services 654w
  Local government staff 611–3w
  M4 695w
  Marginal land 546–8w
  Multiple sclerosis 177w
  National parks 549–50w
  NHS finance 131–2w
  NHS trusts 132w
  Nurses 614w

Wales—continued
Nurses' training 651–2w
Nursing homes 615w
One stop shop initiative 235w
Planning Inspectorate 178w
Pre-school education 547w, 614w
Primary education 128–30w, 618w
Radioactive wastes 651–2w
Rights of way 555–6w
Road works 618w
Rugby 549w, 647–8w
Rural transport innovation grant scheme 550w
School buildings 546w
Secondary education 128–30w
Surgery 655w, 695w
Teachers 547–8w
Town and country planning 654w
Training and enterprise councils 128w
Water charges 651w

Walker, Mr Bill
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 221, 236–7
Questions
Business questions 759
Cuba, Government 622–3
Distilling industry, Scotland 180–1
Meigle Cottage Hospital 320
Northern Ireland government 740
Sports, Women 8

Wallace, Mr James
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 213, 225, 233–6
Questions
Environmentally sensitive areas, Scotland 22w
McKenzie, Morris 459w

Waller, Mr Gary
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 107–10
GATT (14.06.94) 529

Walley, Ms Joan
Debates etc.
Prime Minister's questions, Points of order (14.06.94) 517
Questions
Buses, Safety belts 516w
Child Support Agency, Telephone services 248–9w
Merchant seamen 523w
Ports, Privatisation 517w
Road traffic, Research 53–4w
Road transport, Investment 668w
School transport, Safety belts 487w
Shipping, Research finance 518w
Special aids to employment scheme, Facsimile transmission 48–9w
Trans-European networks, Railway network 284–5w
Trans-European networks, Road construction 284w
Treasure trove 452w

Wandsworth
Income support 361w
Social fund 250w

War Pensions Agency
Complaints 580w

Wardell, Mr Gareth
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 694
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 794–7
Questions
Accident and emergency departments, Wales 614w
Advisory Committee on NHS Drugs, Public appointments 589w
Ambulance services, Emergency calls 653w
Buses, Road safety 638w
Coastal areas, Government grants 696w
Diabetes, Children 373w

Wardell, Mr Gareth—continued
Eye disorders, Surgery 695w
GP fundholders, Wales 653w
Health education, Drug abuse 655w
Hip replacements, Wales 613w
Home care services, Wales 655w
Hospital consultants, Wales 654w, 696w
Local government services, Wales 654w
M4, Wales 695w
Planning inquiries, Oystermouth 655w
Prosthetics, NHS internal market 654w
Road markings, M4 695w
Surgery, Carmarthen and District NHS Trust 654w
Surgery, Eye disorders 623w
Surgery, Wales 655w
Town and country planning, Wales 654w
Welsh Office, Civil service manpower 697–8w
Welsh Office, Departmental circulars 698w
Welsh Office, Departmental responsibilities 695w
Welsh Water, Fluoridation 655w

***Wardle, Mr Charles**, Parliamentary Under-Secretary of State, Home Office*
Debates etc.
Metropolitan Police, Police firearms (16.06.94) 864–8
Questions
Admissibility of evidence, Hypnosis 161w
Animal experiments, Licensing 162w, 164w
British citizenship 557w
Building industry, Fire regulations 280w
Bye laws, Alnwick District Council 100w
Campsfield House Detention Centre, Hunger strikes 693w
Deportation 253–4w
Deportation, Costs 693w
Deportation, Security industry 268w
Domestic service, Overseas workers 165w
Driving offences, Cameras 101w
EC immigration 492–4w
EC nationals, Right of abode 14w
Fire prevention 279w
Fire prevention, Departmental coordination 692w
Fire services, Railway accidents 559w
Fires, Death 559w
Freedom of establishment, Companies 255w
Gloucestershire Constabulary, Royal residences 281w
Home Office, Contracts for services 15–6w
Identification of criminals, Dogs 251w
Immigrant detainees 162w
Immigrant detainees, Airlines 16–7w
Immigrants' dependants, European Economic Area 10w
Immigrants' dependants, Immigration rules 254w
Immigration applications 253w, 662w, 693w
Immigration applications, Cohabitation 163w
Immigration applications, Immigrants' dependants 253–4w
Immigration (European Economic Area) Order 1994, Marriage of convenience 100w
Immigration (European Economic Area) Order 1994, Social security 10w
Immigration (European Economic Area) Order 1994, Vocational training 101w
Immigration rules 99w
Immigration rules, Turkey 9w, 101w
Marriage of convenience 253w
Metropolitan Police 163–4w, 265–6w
Migration 557–8w
Mukasa, Richard, Immigrant detainees 675w
Overseas workers, Domestic service 165w
Pepper gas 604w
Pets, Identification 280w
Police, Management 281w
Police authorities, Expenditure 11–3w
Police Responsibilities and Rewards Inquiry 165w

Wardle, Mr Charles—continued
Political refugees, Immigration applications 693–4w
Political refugees, Police custody 16w
"Travel Information Manual" 694w
Yemen, Refugees 254w

Wareing, Mr Robert N
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (23.05.94) 22
Merseyside, Government assistance (26.05.94) 430–6
Questions
Grant maintained schools, Voting methods 509
Handicapped, Equal opportunities 289w
Overseas aid 18–9
Sports, Women 7

Warren Spring Laboratory
75w
Redundancy 419w

Waste disposal
Human embryo experiments 210w

Water abstraction
Liability 87–8w
River Darent 568w

Water charges
567w
Wales 651w

Water pollution
235–6w
Agricultural land 435–6w
Annesley Bentinck colliery 331–2w
Beaches 88–9w, 343–4w
EC law 340w
Water supply 344w
Worcester 332w

Water supply
Iraq 289w
Water pollution 344w

Water supply industry
Local government reform 469w

Water treatment
EC law 341w

Waterloo Station
Railway transport 57w

Waterson, Mr Nigel
Debates etc.
Cyprus (26.05.94) 424–5
Trade competitiveness (17.06.94) 873–4, 900–4, 923
Questions
Community care 169
European parliament elections 619–20
Planning Inspectorate, Performance standards 153–4w

Watson, Mr Mike
Questions
Drug abuse, Scotland 321–2
Family doctors, Ethnic minorities 377w
NHS, Ethnic minorities 377w
NHS Pensions Agency 376w
Turing Institute, Company liquidations 467–8w

Watts, Mr John
Questions
Economic forecasting 627w

Wei, Jingsheng
China 400w

Welsh, Mr Andrew
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 237–41
Questions
Council of Ministers 658w
Population, Scotland 333–4

Welsh Development Agency
Departmental correspondence 37w

Welsh Grand Committee
(25.05.94) 342

Welsh language
"Implications of Local Government Reorganisation in Wales for Health Boundaries and Proposals for Restructuring Health Authorities" 651w

Welsh Office
Block grant 356w, 551–3w
Cash limits 619–20w
Civil servants' business appointments 554w
Civil service manpower 697–8w
"Code of Practice on Access to Government Information" 545w
Consultants 545w
Departmental circulars 698w
Departmental publications 551w
Departmental responsibilities 695w
Private detectives 554–5w
Private Members' bills 177w
Security 695w
Security industry 554–5w

Welsh Water
Fluoridation 655w

Wena Hotels
Egypt 288w

West Coast railway line
160–1w

West Country
Young offenders 690w

West Kent Health Authority
Fertility 622w

West Midlands
Greenbelt 631–2w
Housing 632w
Local government finance 236w
Probation committees 660w

West Midlands Regional Health Authority
Fertility 622–3w

Western General Hospital NHS Trust
Sex change operations 455–6w

Weston Super Mare
Road construction 136w

Whales
Nature conservation 69–70w
Norway 69w

Wheelchairs
210w, 382–3w

"Wheelclamping on Private Land Consultation Paper"
162w

***Wheeler, Rt Hon Sir John**, Minister of State, Northern Ireland Office*
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order1994 (24.05.94) 302–4
Questions
Broadcast journalism, Northern Ireland 293w
Broadcasting, Northern Ireland 738–9
Cellular phones, Northern Ireland Office 194w
"Code of Practice on Access to Government Information", Northern Ireland Office 448w
Community policing, Castlereagh 449w
Consultants, Northern Ireland Office 446w
Crime, Castlereagh 196w
Crime, North Down 744
Crime, Northern Ireland 292w
Cross border cooperation in Ireland 292–3w
Departmental publications, Northern Ireland Office 450w
Non-departmental public bodies, Northern Ireland Office 197–8w
Northern Ireland Office, Cash limits 200w
Northern Ireland Office, Open government 649w
Police patrolling, Castlereagh 196–7w
Prevention of Terrorism (Temporary Provisions) Act 1989, Journalists 199w

***Wheeler, Rt Hon Sir John**—continued*
Repetitive strain injury, Northern Ireland Office 200w
Royal Ulster Constabulary, Employment discrimination 200–1w
Security, Northern Ireland 292w, 742–3
Security, Northern Ireland Office 675w
Tape recorded evidence, Northern Ireland 745–6
Tape recorded evidence, Terrorism 746
Terrorism, Arrests 446–7w
Terrorism, Northern Ireland 448w

Whitney, Mr Ray
Questions
10 Downing Street, Finance 566w

Whittingdale, Mr John
Debates etc.
Vehicle Identification Bill, 1R (25.05.94) 343–5
Questions
Building Research Establishment, Performance standards 632–3w

***Widdecombe, Miss Ann**, Parliamentary Under-Secretary of State, Dept of Employment*
Questions
Advisory Conciliation and Arbitration Service, Annual reports 288w
Aerospace industry, Employment 287w
Apprentices 287–8w, 412–4w
Barnsley and Doncaster Training and Enterprise Council 49w
Building industry, Manpower 48w
Disabled workers, Unemployment 286–7w
Employment, Married women 409w
Employment, Men 408–9w
Employment schemes, Disclosure of information 411–2w
Employment training, Greater London 411w
Hard core unemployed 287w
Industrial tribunals 408w
Industrial tribunals, Public appointments 407–8w
North Yorkshire Training and Enterprise Council, Administrative costs 410–1w
Training and enterprise councils, Civil servants' business appointments 665w
Training and enterprise councils, Executives 639w
Training and enterprise councils, Licensing 639w
Unemployment, Greater London 410w
Unemployment, Men 410w
Vocational training, Slaughterhouses 287w
Working mothers 287w
Youth unemployment, Doncaster 49w

Widowers' benefits
Equal opportunities 39w

Wigley, Mr Dafydd
Debates etc.
Local Government (Wales) Bill (HL), Rep (15.06.94) 655–7, 700, 703–4, 708, 723–6
Local Government (Wales) Bill (HL), Rep & 3R (16.06.94) 768–9, 834, 836
Questions
Bronchitis, Prescribed industrial diseases 127w
Care and repair initiative, Wales 177w
Concessionary fares, Pensioners 55w
Employment, Wales 130–1w
Maternal mortality 383–6w
Primary education, Wales 128–30w
Sheep premiums 443–4w
Sheep premiums, Scotland 694w
Student loans 499–500
Water charges, Wales 651w
Widowers' benefits, Equal opportunities 39w

Wilkinson, Mr John
Debates etc.
Armed forces discharges, Pregnant women (25.05.94) 410–2, 414
Questions
Northern Ireland government 649w
RAF Northolt 160w

Willetts, Mr David
Debates etc.
Trade competitiveness (17.06.94) 910–6

Williams, Rt Hon Alan
Debates etc.
Railway pension orders (23.05.94) 146
Questions
Interreg programme, Wales 234w
Royal residences 184–5w

Williams, Mr Alan W
Debates etc.
Education (24.05.94) 207
Questions
Tourism 9

Wills & Administration Proceedings (Northern Ireland) Order 1994
Debates etc.
(24.05.94) 208

Wilshire, Mr David
Debates etc.
Northern Ireland (Emergency & Prevention of Terrorism Provisions) (Continuance) Order 1994 (24.05.94) 295–6
Questions
Health authorities, Executives 378w
M25, Road construction 666–7w

Wilson, Mr Brian
Debates etc.
Railway pension orders (23.05.94) 134–9, 148–50
Questions
Non-departmental public bodies, Scotland 453w
RNAD Beith 232w
West Coast railway line 160–1w

Wilton Park Executive Agency
596w
Performance standards 224w

Winnick, Mr David
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (23.05.94) 23, (24.05.94) 208
Unemployment (25.05.94) 352–6
Questions
Arms to Iraq Inquiry 14
Business questions 762
Concessionary television licences, Pensioners 79–80w
EC countries, Politics and government 370w
European parliament members, Fascism 112w
Fascism, European communities 289w
Festivals and special occasions, World War II 2w
Intelligence and Security Committee 229–30w
Italy, Council of Europe 45w
Italy, Foreign relations 45–6w
Italy, Government 46w, 614–5
Northern Ireland government 648w

Winterton, Mrs Ann
Questions
Cyprus, EC enlargement 639w
Maternity services, Childbirth 303–4w
Metropolitan Police 164w
Oral contraceptives, Health hazards 684w
Personal and social education 475w

Winterton, Mr Nicholas
Debates etc.
Trade competitiveness (24.05.94) 192
Questions
Dept of National Heritage, Insurance 184w
Foreign investment in UK 621
Health service staff, Older workers 304w
Metropolitan Police 265–6w
University teachers, Medical education 488w

Wise, Mrs Audrey
Questions
Hospital consultants, Disciplinary proceedings 210w

Prisoners on remand 693w

Women
Hospital wards 303w
Sports 7–8

Women clergy
Compensation 7w

Woodcraft Folk for Wales
Government grants 177w

Woolwich Arsenal
Defence equipment 221w

Worcester
Water pollution 332w

Working hours
Doctors 209w
Judges 5w
Junior hospital doctors 120w

Working mothers
287w

World Health Organisation
Nuclear weapons 378–9w, 405w
Rwanda 390w
Somalia 393–4w

World Trade Organisation
Disputes procedures 322–3w

World War II
Festivals and special occasions 2w
Italy 2w

Worthington, Mr Tony
Debates etc.
Rwanda (24.05.94) 308–11
Questions
Aid financed trade 393w
Albania, EC aid 394w
Arms trade, Developing countries 318w
Bilateral aid 391w
Bosnia-Herzegovina, Armed forces deployment 232w
Burundi, Cholera 389–90w
Buses, Safety belts 135w
Child Support Agency, Executives 192w
Commonwealth Institute 394w
Commonwealth Institute, Scotland 394w
Developing countries, Common agricultural policy 399w
Disability living allowance, Mentally handicapped 367–8w
Eastern Europe, Overseas aid 393w
EC aid, Food aid 392–3w
Ethiopia, Food aid 391w
European Social Fund, Employment schemes 414w
Flood control, Local government finance 236–7w
Gaza Strip, Diplomatic relations 44–5w
Hebron, Peace keeping operations 44w
Industrial investment 429w
International aid from international bodies 391w
Liberia, Peace keeping operations 42w
Local government reform, Employment protection 207w
Local government reform, Redundancy 242w
Local government reform, Scotland 454w
Local government staff, Scotland 203w
Maintenance, Children 249w
Manufacturing industries, Productivity 319w

Worthington, Mr Tony—continued
Mental Welfare Commission for Scotland 94w
NHS trusts, Disclosure of information 21w
NHS trusts, Scotland 245w
OECD Development Assistance Committee, Developing countries 391–2w
OECD Development Assistance Committee, Overseas aid 392w
Overseas aid 216–8w
Overseas aid, Defence expenditure 390w
Overseas Development Administration, Finance 392w
Prisons, Suicide 22–30w
Reproduction, Health aid 18–9w
Rwanda, Armed conflict 43–4w, 396w
Rwanda, Food aid 389w
Rwanda, Peace keeping operations 42w
Rwanda, World Health Organisation 390w
Safety belts, Minibuses 54w
Scottish Office, Market research 22w
Somalia, World Health Organisation 393w
South Africa, Commonwealth 395w
Sudan, Peace negotiations 406w
UN agencies, UK contributions 398w
UN Conference on Population and Development, UK delegations 18w
UN Conference on Population and Development, Voting methods 18w
Water supply industry, Local government reform 469w

Wray, Mr Jimmy
Debates etc.
Local Government Etc (Scotland) Bill, 3R (24.05.94) 232
Questions
Employment, Scotland 201w
Public expenditure, Scotland 324

Wright, Dr Tony
Debates etc.
Deregulation and Contracting Out Bill, Rep & 3R (23.05.94) 52–4, 86–7, 111–2, 120
Questions
British Rail, Season tickets 517w
British Waterways Board, Ombudsman 334w
Central line, Power failures 518–9w
Chartermark scheme 433w
Child Support Agency 177, 247–8w
Child Support Agency, Complaints 579–80w
Citizen's Charter 429–32w, 628w
Family health services authorities, Patient's Charter 300w
Hospital waiting lists 300w
Hospital waiting lists, Patient's Charter 299–300w
Housing Association Tenants' Ombudsman 237w
Housing Association Tenants' Ombudsman, Complaints 237w
Housing Association Tenants' Ombudsman, Northern Ireland 450w
London Underground, Compensation 514w
NHS, Information services 301w
NHS, Telephone services 301w
Pupil records 476–7w
Railway timetables, Season tickets 517w
School admission, Appeals 483–4w
School choice 483w
Schools and parents, Complaints 480w
Social Security Benefits Agency, Computers 581w
Social security claims, Administrative delays 361w

Wright, Dr Tony—continued
War Pensions Agency, Complaints 580w

Written questions
Dept of the Environment 153w

Wylfa power station
Health hazards 655–7w

Yemen
Armed conflict 254w, 396–7w
Entry clearances 165w
Refugees 254w, 396–7w

Young, Mr David
Questions
Community care, Hospital discharges 36w
Hospital consultants, Pensions 213w
Teachers, Early retirement 172w

Young, Rt Hon Sir George, Minister for Housing and Planning
Questions
Council housing 151w
Council housing, Government grants to local authorities 85w
Council housing, Local government expenditure 84w
Council housing, Repairs and maintenance 85w
Council tenants, Tenancy agreements 151–2w
Energy conservation, Council housing 571w
Harrogate Borough Council, Council housing 237w
House renovation grants, Employment opportunities 332–3w
Housing, Construction costs 238w
Housing, West Midlands 632w
Housing action trusts, Liverpool 152w
Housing Association Tenants' Ombudsman 237w
Housing Association Tenants' Ombudsman, Complaints 237w
Housing Corporation, Finance 83–4w
Housing Corporation, North Yorkshire 83w
Mobile homes, Landlord and tenant 332w
Private rented housing 238–40w
Right to buy, Defective housing 343w
Shared ownership schemes, Repossession orders 343w
Tenants' incentive scheme, London boroughs 341–2w

Young offenders
505–6w
Criminal Justice and Public Order Bill 1993/94 279w
Gloucester Prison 492w
Remand in custody 492w
Sentencing 662w
West Country 690w

Young people
Mental health services 677–8w, 688w
Mental hospitals 688–9w
Mentally ill 678–80w
Sports 2–3
Vaccination 299w

Youth employment
EC law 167w, 285–6w

Youth training
Greater London 411w

Youth unemployment
Doncaster 49w